

EXECUTIVE

MONDAY 14 MARCH 2011 AT 12 NOON

PRESENT:

Councillor Mitchelson (Chairman and Promoting Carlisle Portfolio Holder)
Councillor J Mallinson (Governance and Resources Portfolio Holder)
Councillor Bainbridge (Housing Portfolio Holder)
Councillor Bloxham (Local Environment Portfolio Holder)
Councillor Mrs Bowman (Economic Development Portfolio Holder)
Councillor Ellis (Performance and Development Portfolio Holder)
Councillor Mrs Geddes (Community Engagement Portfolio Holder)

APOLOGY FOR ABSENCE

An apology for absence was received from Councillor Mrs Rutherford in her capacity as Chairman of the Environment and Economy Overview and Scrutiny Panel.

DECLARATION OF INTEREST

Councillor Ellis declared a personal interest in accordance with the Council's Code of Conduct in respect of Agenda item A.14 – Representative on Outside Body: Tullie House Museum and Art Gallery Shadow Trust Board / Trust Board. The interest related to the fact that Councillor Ellis had been nominated to serve on the Shadow Trust Board.

CALL-IN

The Chairman reported that the Mayor had agreed that Agenda item B.3 –Land and Property Transactions should be exempt from call-in, in view of the fact that properties would be offered for sale by public auction on 16 March 2011. An urgent and binding decision therefore required to be taken by the Executive prior to that date.

MINUTES

The Minutes of the meetings of the Executive held on 22 December 2010 and 19 January 2011 were signed by the Chairman as true records of the meetings.

EX.029/11 DEVELOPMENT OF CARLISLE'S VISITOR ECONOMY
(Key Decision)

Portfolio Economic Development

Subject Matter

Pursuant to Minute EX.010/11, the Strategic Director submitted report SD.03/11 updating Members of the Executive on progress made to bring together the Carlisle Tourism Partnership and the City Centre Partnership to form a new 'not for profit' company limited by guarantee.

The Strategic Director summarised the background to the matter, commenting that the new partnership proposals sought to bring together a more cost efficient model for the two partnerships and, in addition, to incorporate a working relationship with further and higher education partners and also seek government grant support for the creation of jobs via the Regional Growth Fund (RGF).

That newly incorporated company would take a key role in delivery of:

- a comprehensive marketing strategy for the City
- an annual self sustaining city and district events programme
- take the lead in managing Tourist Information in Carlisle
- City-wide communications and co-ordination activities
- direct advice and support to existing and new retail, tourism and hospitality businesses
- partnership working with both FE and HE providers to develop retail, hospitality / catering and tourism skills
- specific work with key partners to develop Carlisle's cultural and night time economies
- advocating and lobbying activities

The proposed company would also take responsibility for developing any move towards the incorporation of a Business Improvement District, covering the area identified in the consultant's report or any revised footprint.

The Strategic Director reported that the development of a new 'not for profit' company designed to deliver the roles identified above may require the agreement of a number of different existing and potentially new partners. He added that informal consultation with a range of public and private stakeholders had now taken place both as part of the RGF application and specifically in relation to this report. Feedback from those discussions had proved to be encouraging and provided a sound platform for the next stage of the new company's development. Details of the potential company structure, proposed time plan and funding arrangements for the new company were also set out within the report.

The Strategic Director commented that, subject to Executive approval, the intention was that formal support be sought from existing members of the City Centre Partnership and Carlisle Tourism Partnership to develop a Shadow Board. The Shadow Board would then focus on developing terms of reference and objectives for

the proposed new company and also devise governance arrangements and a memorandum and articles of association. He then outlined the recommendations contained within his report.

The Environment and Economy Overview and Scrutiny Panel had on 20 January 2011 (EEO.SP.08/11) considered the matter and resolved:

- "1) That Carlisle Tourism Partnership be thanked for their enthusiasm and excellent work;
- 2) That the Panel recommended that officers explore how other areas had approached successful Business Improvement Districts (BID) and identify what the issues were;
- 3) To improve the evening economy businesses should be encouraged to consider later opening times, the Panel would therefore encourage the potential CIC to address this issue. The Panel also wished to thank the businesses that currently opened later in the evening;
- 4) That consideration be given to the residents living in the City Centre and how the Community Interest Company (CIC) or BID would affect them;
- 5) That further consideration would be given to the footprint of any potential BID at a future meeting of the Panel;
- 6) That there was a need for better signage to direct visitors to the available car parks within the City and a need to improve the links between the car parks and the City Centre and the Panel would like to see this addressed in the future;
- 7) The Panel were disappointed that the Carlisle Tourism Partnership had lost their funding and expressed concern that the budget available for all tourism and events for Carlisle had been reduced and would result in minimal marketing activity and the loss of the city centre events programme;
- 8) That the Panel looked forward to an update on the new partnership proposal at their next meeting in April;
- 9) That the Panel looked forward to receiving the End of Project report from the Carlisle Tourism Project at a future meeting."

A copy of the Minute Excerpt had been circulated.

The Economic Development Portfolio Holder recognised the need to build upon the Tourism Partnership's success, adding that good reviews had been received last week from the Rough Guide. She was therefore fully supportive of the recommendations set out in report SD.03/11 which constituted a good means of moving forward in the current difficult economic climate.

The Community Engagement Portfolio Holder was agreeable and looked forward to the proposed new company being a success.

The Leader considered the above proposal to be the only way forward. He moved the recommendations, commenting that the Economic Development Portfolio Holder and himself would join the proposed Shadow Board to assist with the development of the company and its terms of reference.

Summary of options rejected None

DECISION

That the Executive:

1. Agreed to bring together the City Centre and Carlisle Tourism Partnerships to form a new community interest, not for profit, limited company that would take up the roles outlined at Section 2.2 of Report SD.03/11.
2. Nominated Councillors Mrs Bowman and Mitchelson as City Council representatives to join the proposed Shadow Board to assist with the development of the company and its Terms of Reference.
3. Committed £150,000 (total) taken from the Economic Development Directorate budget for a limited two year period to support the development and operation of the proposed organisation.
4. Asked the Interim Assistant Director (Economic Development) to work with partners to develop and implement a project plan and risk assessment that would take forward the proposal, and ensure the successful commencement of the new company.

Reasons for Decision

To update Members on progress being made to bring together the Carlisle Tourism Partnership and the City Centre Partnership to form a new 'not for profit' company limited by guarantee.

EX.030/11 HOUSING DESIGN SUPPLEMENTARY PLANNING DOCUMENT
(Key Decision)

Portfolio Economic Development

Subject Matter

Pursuant to Minute EX.015/11, the Assistant Director (Economic Development) submitted report ED.14/11 concerning the Housing Design Supplementary Planning Document.

She reminded Members that they had on 14 February 2011 resolved to make the draft Supplementary Planning Document available for consideration by the Environment and Economy Overview and Scrutiny Panel. The Panel had on 24 February 2011 considered the report and their comments were set out in Minute Extract EEO.SP.15/11, a copy of which had been circulated.

The Assistant Director (Economic Development) added that the Supplementary Planning Document had been amended in the light of comments made by the Scrutiny Panel and was now returned to the Executive to consider referring it to Council for adoption on 26 April 2011.

The Local Environment Portfolio Holder referred to Sections 5.34 and 5.37 concerning Parking Provision and expressed some concern at the implications that may have for the rural area where alternative means of transport were limited.

In response the Assistant Director (Economic Development) confirmed that there would be an element of flexibility to ensure that parking provision reflected the concerns raised. She added that Members would have the opportunity to begin to influence such issues through the Local Development Framework.

The Economic Development Portfolio Holder then moved the recommendations set out in the Assistant Director's report.

Summary of options rejected None

DECISION

That the Executive:

1. Had considered the draft Housing Design Supplementary Planning Document, as appended to Report ED.14/11, and the changes made in the light of comments made by the Environment and Economy Overview and Scrutiny Panel.
2. That the Supplementary Planning Document be referred to the City Council at its meeting on 26 April 2011 with a recommendation that it be adopted.

Reasons for Decision

To provide further guidance and clarity in the form of SPD in respect of policies CP5, CP6, CP7, CP8, CP9 and CP10 of the Carlisle District Local Plan.

**EX.031/11 REVISED PROCUREMENT AND COMMISSIONING STRATEGY
2010-12
(Key Decision)**

Portfolio Governance and Resources

Subject Matter

Pursuant to Minute EX.225/10, the Assistant Director (Resources) submitted report RD.65/10 recommending the adoption of a revised Procurement and Commissioning Strategy for the period 2010-12.

The Assistant Director (Resources) referred Members to the Procurement and Commissioning Strategy appended to his report which had been revised and enhanced to incorporate the requirements of the Government's efficiency, environmental, equality and diversity legislation, together with recent changes to European procurement legislation.

The Resources Overview and Scrutiny Panel had on 6 January 2011 considered and noted report RD.65/10. A copy of the relevant Minute Extract (ROSP.07/11) had been circulated.

In conclusion, the Assistant Director (Resources) asked the Executive to consider the revised Strategy, together with the observations of the Resources Overview and Scrutiny Panel, prior to making a formal recommendation to Council.

The Governance and Resources Portfolio Holder then moved the above recommendation.

Summary of options rejected None

DECISION

That the Executive had considered the Revised Procurement and Commissioning Strategy, appended to Report RD.65/10, together with the observations of the Resources Overview and Scrutiny Panel and referred the Strategy to the City Council with a recommendation for adoption.

Reasons for Decision

The proposed revisions to the Council's Procurement and Commissioning Strategy are intended to enable the Council to take advantage of alternative service delivery and tendering methodologies through changes in technology and efficiency legislation. The changes are intended to make procurement and commissioning more efficient, achieve greater cost effectiveness and will also lead to competition between providers of goods, works and services.

EX.032/11 CUMBRIA STRATEGIC WASTE PARTNERSHIP – ENHANCED PARTNERSHIP WORKING PROJECT

(Key Decision)

Portfolio Local Environment

Subject Matter

The Assistant Director (Local Environment) submitted report LE.02/11 concerning the Cumbria Strategic Waste Partnership's 'Enhanced Partnership Working Project', which sought to identify the most appropriate model for future partnership working between Cumbria's six Waste Collection Authorities and the Waste Disposal Authority.

The Assistant Director (Local Environment) reminded Members that a key achievement of the Cumbria Strategic Waste Partnership (CSWP) (established in 2004) had been its role in facilitating a significant reduction in the amount of municipal waste land filled which in turn enabled Cumbria to meet its Landfill Allowance Trading Scheme (LATS) obligations. Instrumental to the successful reduction of residual waste had been Cumbria's Joint Municipal Waste Management Strategy (JMWMS). The JMWMS identified seven key objectives by which the LATS obligations would be met, details of which were set out at Appendix 1 to the report.

Whilst significant progress had been made against some of the key objectives, particular concern had arisen around the lack of progress achieved in relation to the key objective of adopting 'common methods of collection' for recyclable and residual wastes. That was significant because of the opportunities to achieve real efficiency savings if consistent (i.e. common) methods of collection were adopted by the six Cumbrian Waste Collection Authorities.

The Assistant Director (Local Environment) reported that elsewhere a number of different models had been employed with the aim of achieving enhanced partnership working between local authorities. She referred Members to figure 1 which illustrated five models of partnership working, together with the indicative efficiencies that each might typically be expected to generate. Examples of actual revenue savings realised by other waste partnerships were also provided. Although Cumbria had to date successfully met the challenge presented by LATS, the current difficult financial climate made it imperative that consideration was given to enhanced partnership working and realisation of significant efficiency savings. She added that in recognition of that fact the CSWP had commissioned work to assess available options for enhanced partnership working (the Beasley report). Whilst the report did not recommend any particular option it did assess the range of available options against a set of relevant criteria, details of which were set out at Appendix 2.

Fundamental to the continued delivery of the JMWMS and any future enhanced partnership working was the 'Recycling Reward' Scheme, the value of which to Carlisle City Council was in excess of £1.2 million per annum. Proposals for a review of the Recycling Reward Scheme had been discussed at a special meeting of the CSWP Officers' Group and also the Cumbria Chief Executives' Group in December 2010. Both meetings concluded that the proposed review should be included within the remit of a proposed Enhanced Partnership Working Project and that the Scheme payments would continue at their current rates until the end of 2011/12. A

recommendation to that effect had been presented to and accepted by the CSWP in January 2011.

The Assistant Director (Local Environment) informed Members that the CSWP had on 14 January 2011 received a report from Cumbria County Council (Appendix 3) recommending that the CSWP initiate an Enhanced Partnership Working Project to further develop the work carried out to date and presenting a draft Project Plan for approval, which recommendations were agreed. She further set out the key elements of the Enhanced Partnership Working Project Plan agreed by the CSWP, together with the roles and terms of reference for the Project Governance.

In conclusion, the Assistant Director (Local Environment) cautioned that, although the Project was an exciting initiative with the potential to deliver real and lasting efficiencies, the scale of the challenge should not be underestimated. Whilst the proposed Project Plan did not require a financial contribution from the Council a significant commitment would be required from both Members and Officers in the form of time, energy and resources, in order to effectively engage with the Project.

It was proposed that the Local Environment Portfolio Holder should continue to represent the City Council on the CSWP in its new role as the 'Project Board'. The Council's Waste Services Manager and, where appropriate, the Assistant Director (Local Environment), would represent the Council on the CSWP Officers' Group. It was likewise proposed that that representation continue in respect of the Group's new role as the 'Project Delivery Team'.

The Local Environment Portfolio Holder believed that the recommendations constituted a very positive way forward and should be adopted. He emphasised the importance of the Recycling Reward Scheme together with the need to ensure that the proposed review of the Scheme did not prove to be detrimental to the City Council.

Summary of options rejected None

DECISION

That the Executive:

1. Approved the Council's participation in the Cumbria Strategic Waste Partnership's 'Enhanced Partnership Working Project'.
2. Appointed the Portfolio Holder for Local Environment to be the Council's representative on the Cumbria Strategic Waste Partnership's Enhanced Partnership Working Project 'Project Board'.
3. Appointed the Assistant Director (Local Environment) (or her deputy) to be the Council's representative on the Cumbria Strategic Waste Partnership's Enhanced Partnership Working Project 'Project Delivery Team'.

4. All matters relating to the Enhanced Partnership Working Project considered by the Assistant Director (Local Environment) to be a Key Decision for the Council be referred to future meetings of the Executive.

Reasons for Decision

To ensure that the Council is properly represented in all discussions concerning the future development of municipal waste management in Cumbria.

EX.033/11 CAPITAL PROJECT – WILLOWHOLME INDUSTRIAL ESTATE (Key Decision)

(With the consent of the Chairman, and in accordance with Rule 15 of the Access to Information Procedure Rules, this item was included on the Agenda as a Key Decision, although not in the Forward Plan)

Portfolio Local Environment

Subject Matter

The Assistant Director (Local Environment) submitted report LE.05/11 concerning funding allocated from the Council's Capital Budget to enhance the Willowholme Industrial Estate which had been badly affected by the major flooding event of 2005.

She reminded Members that, following the floods, a package of measures was agreed in consultation with the tenants of the Industrial Estate, including upgrading of the street lighting; repairs to fencing; drainage improvements and enhanced signage, some of which had been carried out soon thereafter. One element of the works which could not be completed at that time was the reconstruction of the un-adopted section of the Industrial Estate road. That delay was due to the need to await completion of flood prevention works by the Environment Agency and also to enable United Utilities to complete improvements to the drainage system and sewage works.

As a result of heavy construction traffic using the Industrial Estate during the above infrastructure improvements, the adopted section of road had deteriorated to the point that the County Council had had to fund major repairs. In order to achieve economies of scale, the City Council had prepared a jointly funded contract for all the reconstruction works required on the estate. Tenders had been received and the lowest tender submitted by Cubby Construction accepted.

The Assistant Director (Local Environment) informed Members that reconstruction of the adopted section of highway had commenced on 21 February 2011 (with an expected duration of six weeks) fully funded by the County Council. She added that the un-adopted section of road, for which the City Council was responsible, was due to commence in May 2011 again with a construction period of six weeks. Accordingly, the Executive was asked to release the £139,000 allocated in the Capital Budget for that work, £119,000 of that sum being for contract works by Cubby Construction on Willowholme Road and £19,000 for works on Mill Race Road to

repair existing footways and patch sections of road. That work to be carried out by the City Council Highways Section.

Upon completion of the reconstruction works the County Council would adopt Mill Race Road and the un-adopted section of Willowholme Road.

The Local Environment Portfolio Holder was delighted to move the above recommendation.

The Economic Development Portfolio Holder had been involved with the Willowholme Industrial Estate since 2005 and therefore fully supported release of the capital budget set aside for the scheme.

Summary of options rejected None

DECISION

That the Executive authorised the release of the £139,000 Capital Budget set aside for the capital project at Willowholme Industrial Estate as detailed in Report LE.05/11.

Reasons for Decision

The proposed works will enable the City Council to pass responsibility for maintaining the road to the County Council.

EX.034/11 AMENDMENT TO COUNCIL FRAMEWORK FOR MEMBER LEARNING
(Key Decision)

Portfolio Performance and Development

Subject Matter

Pursuant to Minute EX.017/11, the Organisational Development Manager submitted report CE.05/11 concerning the Council's Member Learning and Development Framework (MLDF).

The Organisational Development Manager outlined the background to the matter, reminding Members that the Member Learning and Development Working Group had identified that improvements were needed with regard to Member learning, and had proposed several changes to the approach adopted by the City Council, details of which were appended to her report. She added that those changes would require a formal amendment to the existing Policy Framework.

The Resources Overview and Scrutiny Panel had on 17 February 2011 (ROSP.16/11) considered the matter and welcomed the proposed changes as set out in Report CE.03/11. A copy of the Minute Extract had been circulated.

The Performance and Development Portfolio Holder welcomed the proposed changes, which would make training less formal for Members and help to maintain the North West Member Charter. Accordingly he agreed the recommendations, subject to amendment of the final sentence at Section 1.8 by the substitution of the words "equal opportunities training" for "equality and diversity training".

Summary of options rejected None

DECISION

That the amended Council Framework for Member Learning and Development, appended to Report CE.05/11, be referred to the City Council with a recommendation for adoption.

Reasons for Decision

To endorse the proposals from the MLDWG to refresh Member learning; and to enable the Policy Framework to be amended accordingly.

EX.035/11 ORGANISATIONAL DEVELOPMENT PLAN 2011 - 2013
(Non Key Decision)

Portfolio Performance and Development

Subject Matter

Pursuant to Minute EX.018/11, the Organisational Development Manager submitted report CE.06/11 concerning the Council's Organisational Development Plan for the period 2011 - 2013.

She reminded Members that they had on 14 February 2011 considered report CE.2/11 and made it available for consideration by the Resources Overview and Scrutiny Panel. The Panel had subsequently considered the matter on 17 February 2011 (ROSP.17/11) and resolved:

- "1) That the Organisational Development Plan 2011-2013 be supported;
- 2) That the statistical information on the number of staff in training, the type of training, the cost, the outcomes and benefits of training be circulated to Members."

A copy of the Minute Extract had been circulated.

The Performance and Development Portfolio Holder welcomed submission of the report which would ensure that the future needs of the City Council were met.

Summary of options rejected None

DECISION

That the Executive approved the Organisational Development Plan 2011 - 2013 as appended to Report CE.06/11.

Reasons for Decision

To bring forward the Organisational Development Plan 2011-13 for approval by the Executive.

EX.036/11 FORWARD PLAN
(Non Key Decision)

Portfolio Cross-Cutting

Subject Matter

The Forward Plan of Key Decisions for the period 1 March 2011 to 30 April 2011 was submitted for information.

Summary of options rejected None

DECISION

That the Forward Plan of Key Decisions for the period 1 March 2011 to 30 April 2011 be noted.

Reasons for Decision

Not applicable.

EX.037/11 SCHEDULE OF DECISIONS TAKEN BY OFFICERS
(Non Key Decision)

Portfolio Performance and Development

Subject Matter

Details of a decision taken by the Organisational Development Manager under delegated powers were submitted.

Summary of options rejected None

DECISION

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

Reasons for Decision

Not applicable.

EX.038/11 REFERENCE FROM THE ENVIRONMENT OVERVIEW AND SCRUTINY PANEL – OVERVIEW REPORT INCORPORATING THE WORK PROGRAMME AND FORWARD PLAN ITEMS (Non Key Decision)

Portfolio Local Environment

Subject Matter

Pursuant to Minute EEO.SP.14/11, consideration was given to a reference from the Environment and Economy Overview and Scrutiny Panel requesting the Executive to provide an update on the recommendations from the Car Parking Task and Finish Group for the Panel meeting in April. A copy of the Minute Excerpt had been circulated.

In the absence of the Chairman of the Panel, the Leader indicated that the Portfolio Holder would attend the April 2011 meeting and update Panel Members on the matter.

Summary of options rejected None

DECISION

That the reference from the Environment and Economy Overview and Scrutiny Panel be received; and the Panel advised that the Local Environment Portfolio Holder would update Members on the current position at their April 2011 meeting.

Reasons for Decision

To respond to a reference from the Environment and Economy Overview and Scrutiny Panel.

EX.039/11 JOINT MANAGEMENT TEAM MINUTES (Non Key Decision)

Portfolio Various

Subject Matter

The Minutes of the meeting of the Joint Management Team held on 3 February 2011 were submitted for information.

Summary of options rejected None

DECISION

That the Minutes of the meeting of the Joint Management Team held on 3 February 2011, attached as Appendix B, be received.

Reasons for Decision

Not applicable.

EX.040/11 CUMBRIA STRATEGIC WASTE PARTNERSHIP (Non Key Decision)

Portfolio Local Environment

Subject Matter

The Minutes of the meeting of the Cumbria Strategic Waste Partnership held on 14 January 2011 were submitted for information.

Summary of options rejected None

DECISION

That the Minutes of the meeting of the Cumbria Strategic Waste Partnership held on 14 January 2011 be received.

Reasons for Decision

Not applicable.

EX.041/11 MINUTES OF JOINT MEETING BETWEEN THE EXECUTIVE AND REPRESENTATIVES FROM THE PARISH COUNCILS (Non Key Decision)

Portfolio Various

Subject Matter

The Minutes of the Joint Meeting between the Executive and representatives from the Parish Councils held on 18 January 2011 were submitted for information.

Summary of options rejected None

DECISION

That the Minutes of the Joint Meeting between the Executive and representatives from the Parish Councils held on 18 January 2011, attached as Appendix C, be received.

Reasons for Decision

Not applicable.

EX.042/11 REPRESENTATIVE ON OUTSIDE BODY: TULLIE HOUSE MUSEUM AND ART GALLERY SHADOW TRUST BOARD / TRUST BOARD (Non Key Decision)

Portfolio Performance and Development

Subject Matter

The Strategic Director presented report GD.18/11 dealing with the appointment of Members to serve on the Tullie House Museum and Art Gallery Shadow Trust Board / Trust Board.

As Members were aware, the Council was currently engaged in the process of setting up a Charitable Trust to run the Tullie House Museum and Art Gallery. A Shadow Trust Board was now in place which would, once the Trust was established, become the Tullie House Museum and Art Gallery Trust Board.

It was important that the Council was represented on both the Shadow Board and the Trust Board when established. Although discussions were ongoing, it was anticipated that the Trust Board would comprise eleven Members once all of the recruitment had taken place.

The Strategic Director explained that Shadow Board Members would take part in discussions with the Council to reach agreement between the parties as to the best basis for the Trust to move forward and flourish. The Shadow Board would also be required to input into the various agreements covering the memorandum and articles of association; partnership and funding; collections; property etc. Once the Trust was formally and legally established, the Trust Board would be responsible for the business affairs of the Tullie House Museum and Art Gallery and its day to day running. The Board Members would, effectively, be the Directors of the organisation. In either scenario it was important that, given the significance of Tullie House to the City, the Council was represented on the Shadow Board and, thereafter, the Trust Board. Council representation on the Board must be no more than 20% of the membership so that (a) the organisation was not local authority controlled and (b) it was not necessary for the City Council to implement a different financial accounting regime. If necessary, to comply with the 20% threshold (due to the number of other Board Members being low) one of the Council Board Members may take an observational role at Trust Board meetings.

In conclusion, the Strategic Director requested that the Executive nominate two Members as the Council's representatives on the Shadow Board and thereafter the Trust Board.

On behalf of the Executive, the Leader nominated Councillors Ellis (Performance and Development Portfolio Holder) and Mrs Robson as the Council's representatives on the Tullie House Museum and Art Gallery Trust's Shadow Board and thereafter on the said organisation's Trust Board, on the understanding that the latter Member may, if necessary, take an observational role at Trust Board meetings.

Summary of options rejected None

DECISION

That the Executive nominated Councillors Ellis (Performance and Development Portfolio Holder) and Mrs Robson as the Council's representatives on the Tullie House Museum and Art Gallery Trust's Shadow Board and thereafter on the said organisation's Trust Board, subject to the proviso that the latter Member may, if necessary, take an observational role at Trust Board meetings.

Reasons for Decision

So that the Council is represented on the Tullie House Museum and Art Gallery Trust's Board.

EX.043/11 BAD DEBT WRITE OFFS FOR NNDR, COUNCIL TAX AND DEBTORS (INCLUDING PENALTY CHARGE NOTICES)
(Non Key Decision)

Portfolio Governance and Resources

Subject Matter

The Assistant Director (Resources) submitted report RD.86/10 recommending the write-off of bad debts over £1,000 and informing the Executive of actions taken to write-off bad debts under £1,000.

The Governance and Resources Portfolio Holder then moved the recommendations contained within the report.

Summary of options rejected None

DECISION

That the Executive agreed to:

1. Write-off the sum of £129,915.42 in respect of debts over £1,000.

2. Note the Assistant Director (Resources)' action in writing off debts totalling £123,345.45 in respect of bad debts under £1,000.

3. Note that the costs will fall against the:

General Fund	£ 91,453.17
Council Tax Pool	£ 51,676.76
NNDR Pool	£110,130.94
TOTAL	£253,260.87

4. 'Write-ons' will be credited as follows:

General Fund	£ 97.54
Council Tax	£ 4,813.26
NNDR Pool	£ 1,898.01
TOTAL	£ 6,808.81

Reasons for Decision

The debts requested to be written off were considered to be irrecoverable.

EX.044/11 UPDATE ON LOCAL GOVERNMENT BOUNDARY COMMISSION (LGBCE) CONSULTATION (Non Key Decision)

Portfolio Cross Cutting

Subject Matter

The Deputy Chief Executive submitted report CE.07/11 updating Members of the Executive on recent consultations carried out by the Local Government Boundary Commission for England (LGBCE).

As Members would recall, the Executive had on 22 December 2010 considered report CE.38/10 concerning the consultations entitled "Along the Right Lines" and "Striking The Right Balance" and submitted a response prior to the December 2010 consultation deadline. The responses from all of the organisations, individuals and groups of individuals, which were generally positive and supportive of the proposals, had been published on the LGBCE website. All the indications were that the LGBCE would henceforth be conducting its business in accordance with the approach described in those documents.

The responses received from Cumbria were from the City Council's Executive, and the Leader and Deputy Leader (joint response) of the County Council. The web form responses appeared to be anonymous.

The Deputy Chief Executive reminded Members that they had suggested that the LGBCE were offered the opportunity to come to Carlisle and discuss their proposals with the Executive. The Commission responded positively and the Director of Reviews and a colleague had attended a recent meeting of the Joint Management Team to explain how the Commission would respond to the consultation and answer Members' questions.

He added that the strong and consistent message from the Commission was that any proposed changes must have clear evidence of public support and make sense in terms of effective and convenient local government. Where those criteria were met the Commission was ready to conduct reviews.

On behalf of the Executive, the Leader stated that the City Council should give consideration to the total number of Members elected to serve the Council. That was particularly important bearing in mind the current difficult economic climate and reduced income levels facing the authority, which had necessitated implementation of initiatives including the Transformation Programme and Shared Services, and consequently reduced staffing levels.

He therefore proposed that, for the reasons outlined, the Executive recommend that the City Council give consideration to the potential for a significant reduction in the number of City Councillors; and submit a request to the Local Government Boundary Commission that it commence a far reaching electoral review into the size of the City Council.

The Governance and Resources Portfolio Holder considered the above proposal to be appropriate in the current economic climate. The authority had changed enormously since membership was set at fifty two during the 1990s. Staffing levels at the City Council had reduced and Councillors should not be isolated from that process. The Portfolio Holder believed that it was important that Councillors demonstrated their support for staff at this difficult time.

In response to a Member's question, the Leader confirmed that increased partnership working would form part of the debate at Council on 26 April 2011.

Summary of options rejected None

DECISION

1. That the Executive noted the content of Report CE.07/11.
2. That the Executive recommended that the City Council, at its meeting on 26 April 2011, agree that a significant reduction in the number of City Councillors was required and that the Local Government Boundary Commission be requested to commence an electoral review of the matter.

Reasons for Decision

To inform Members of the up-to-date position on consultations carried out by the Local Government Boundary Commission for England.

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.045/11 TULLIE HOUSE TRUST PROPERTY ARRANGEMENTS

(Key Decision)

(Public and Press excluded by virtue of paragraph 3)

(With the consent of the Chairman, and in accordance with Rule 15 of the Access to Information Procedure Rules, this item was included on the Agenda as a Key Decision, although not in the Forward Plan).

Portfolio Governance and Resources

Subject Matter

The Assistant Director (Resources) submitted report RD.84/10 outlining property arrangements in respect of the Tullie House Trust and seeking consent in accordance with statutory and Council Policy to the grant of leases to the Trust at peppercorn rents.

The Performance and Development Portfolio Holder indicated his agreement with the recommendation.

Summary of options rejected None

DECISION

That the Executive recommends that the City Council approve the leasing of the Tullie House Museum and Art Gallery premises to the new Trust at peppercorn rents which were less than best consideration.

Reasons for Decision

To facilitate through lettings of the Museum premises the transfer of the operations of the Tullie House Museum and Art Gallery service to a new Charitable Trust.

EX.046/11 BAD DEBT WRITE OFFS FOR NNDR, COUNCIL TAX AND DEBTORS (INCLUDING PENALTY CHARGE NOTICES)

(Non Key Decision)

(Public and Press excluded by virtue of paragraph 7)

Portfolio Governance and Resources

Subject Matter

The Assistant Director (Resources) submitted private report RD.86/10 providing details of actual bad debt cases. Members were asked to consider writing off debts over £1,000 as set out in Appendices 1, 2 and 3 of the report.

The Assistant Director (Resources) then undertook to respond in writing to Members' questions.

Summary of options rejected None

DECISION

That the bad debts over £1,000, as detailed in the Appendices to Report RD.86/10, be written off.

Reasons for Decision

To receive details of individual bad debt cases.

EX.047/11 LAND AND PROPERTY TRANSACTIONS

(Non Key Decision)

(Public and Press excluded by virtue of paragraph 3)

(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 Governance and Resources

Subject Matter

The Assistant Director (Resources) submitted report RD.83/10 seeking Executive consent to the release and disposal of a number of surplus assets in accordance with the Asset Review Disposal Programme.

In response to Members' questions, the Assistant Director (Resources) undertook to further check the position with regard to reserve prices and consultation with local Ward Members.

Summary of options rejected None

DECISION

That the Executive approved the release and freehold disposal of land at Gelt Bridge, Brampton; Harker, Carlisle; and Esk Street Depot, Longtown, identified in the plans appended to Report RD.83/10, subject to final terms agreed by the Property Services Manager.

Reasons for Decision

To more effectively manage the Council's assets by bringing forward the disposal of surplus property in pursuit of the strategic objectives set out in the Asset Review Business Plan.

EX.048/11 LAND AND PROPERTY TRANSACTIONS

(Non Key Decision)

(Public and Press excluded by virtue of paragraph 3)

Portfolio Governance and Resources

Subject Matter

The Assistant Director (Resources) submitted report RD.85/10 seeking approval of the Executive to the release and disposal of a freehold reversion at Rigg Street, Carlisle in accordance with the Asset Review Disposal Programme; and to the transfer of land at Turnstone Park, Carlisle into Council ownership for use as amenity open space.

Summary of options rejected None

DECISION

That the Executive approved:

1. The release and disposal of the freehold reversion at Rigg Street, Carlisle subject to final terms agreed by the Property Services Manager.
2. The transfer into Council ownership of land at Turnstone Park, Carlisle for use as amenity open space on final terms agreed by the Property Services Manager.

Reasons for Decision

Freehold Reversion Rigg Street - to more effectively manage the Council's assets by bringing forward the disposal of surplus property in pursuit of the strategic objectives set out in the Asset Review Business Plan.

Public Open Space Turnstone Park - to bring into public ownership and control areas of amenity open space for the use and wellbeing of local residents and the community at large in accordance with planning policy.

(The meeting ended at 12.40 pm)