

EXECUTIVE

MONDAY 21 NOVEMBER 2016 AT 4.02 PM

PRESENT:

Councillor Glover (Leader / Chairman)

Councillor Dr Tickner (Deputy Leader, and Finance, Governance and Resources Portfolio Holder)

Councillor Mrs Bradley (Economy, Enterprise and Housing Portfolio Holder)

Councillor Ms Quilter (Culture, Heritage and Leisure Portfolio Holder)

Councillor Miss Sherriff (Communities, Health and Wellbeing Portfolio Holder)

Councillor Southward (Environment and Transport Portfolio Holder)

OFFICERS:

Chief Executive

Deputy Chief Executive

Corporate Director of Governance and Regulatory Services

Corporate Director of Economic Development

Chief Finance Officer

ALSO PRESENT:

Councillors Allison, Burns and Nedved (Observers)

WELCOME

The Leader welcomed all those present to the meeting.

APOLOGIES FOR ABSENCE

There were no apologies for absence.

DECLARATIONS OF INTEREST

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

PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

MINUTES OF PREVIOUS MEETINGS

The Minutes of the meetings of the Executive held on 30 August and 26 September 2016 were signed by the Chairman as a true record of the meetings.

PROCEDURES PRIOR TO PRIVATE MEETINGS

The Leader reported that Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 prescribed that, at least 28 clear days before a private meeting, the decision making body must make available / publish a notice of its intention to hold the meeting in private.

The Corporate Director of Governance and Regulatory Services required to submit an urgent private report to this meeting (Agenda item B.2 – Land and Property Transaction). The decision required to be taken today in order to comply with agreement reached with the owner of the property.

Since compliance with the above regulation was impracticable, the Chairmen of the Environment and Economy; and Resources Overview and Scrutiny Panels had agreed that the decision was urgent and could not reasonably be deferred, and that the matter could be dealt with today. A Notice setting out the reasons for urgency had also been published in compliance with the Regulation.

BUDGET OVERVIEW 2017/18

The Leader introduced Agenda items A.1 (a) to (f) which constituted the official start of the 2017/18 Budget process. He thanked the Chief Finance Officer and staff involved for their work.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder referred Members to the Book of Budget Reports, and expressed his thanks to the Financial Services Team for preparation the reports. He informed the meeting that the various Budget reports under consideration by the Executive today would proceed to Overview and Scrutiny, and come back before the Executive, prior to submission to the Special Council meeting scheduled to take place on 7 February 2017.

In terms of the Review of Charges for 2017/18, the Deputy Leader advised that the proposals took account of the MTFP's 3% increase but that had not been applied to everything as market forces, local conditions and the ability of people to pay had been taken into account.

EX.98/16 BUDGET UPDATE - REVENUE ESTIMATES 2017/18 TO 2021/22 (Key Decision – KD.21/16)

Portfolio Finance, Governance and Resources

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

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.35/16 providing a summary of the Council's revised revenue base estimates for 2016/17, together with base estimates for 2017/18 and forecasts up to 2021/22 for illustrative purposes. The base estimates had been prepared in accordance with the guiding principles for the formulation of the budget over the next five year planning period

as set out in the Medium Term Financial Plan (MTFP) and Charging Policy; Capital Strategy; and Asset Management Plan approved by Council on 13 September 2016.

The report set out known revisions to the MTFP projections, although there were a number of significant factors affecting the budget that were currently unresolved, details of which were recorded at Section 1.3. A summary of the outstanding key issues, together with the resource assumptions was also provided at Section 4.

Decisions would need to be taken to limit budget increases to unavoidable and high priority issues, together with maximising savings and efficiencies (and probable use of reserves) to enable a balanced budget position to be recommended to Council in February 2017.

The Deputy Leader indicated that, in light of the current position in the MTFP, there were some potential new recurring and non-recurring spending pressures which required consideration. The pressures identified at Appendix D included Salary Turnover Savings (£119,000 recurring) and he explained the rationale behind that pressure by way of example.

Turning to the issue of savings and additional income proposals, the Deputy Leader added that the current MTFP included a savings requirement to be found by 2018/19 of £3.475 million. Further savings / additional income had already been identified in the budget process for 2017/18, details of which were set out at Section 6 of the report.

Also summarised were the movements in base budgets; the updated MTFP projections; the projected impact on revenue balances; together with a summary of the financial outlook and budget discipline 2017/18 to 2021/22.

In conclusion, the Deputy Leader, and Finance, Governance and Resources Portfolio Holder formally moved the recommendations as detailed within the report, which were duly seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

1. Noted the revised base estimates for 2016/17 and base estimates for 2017/18.
2. Noted the current Medium Term Financial Plan projections, which would continue to be updated throughout the budget process as key issues became clearer and decisions were taken.
3. Noted the initial budget pressures / savings needing to be taken into account as part of the 2017/18 budget process.

Reasons for Decision

To note the Revenue Base Estimates; updated Medium Term Financial Plan projections and budget pressures / savings for consideration as part of the 2017/18 budget process

EX.99/16 REVIEW OF CHARGES 2017/18 - COMMUNITY SERVICES (Key Decision – KD.21/16)

Portfolio Environment and Transport; Culture, Heritage and Leisure

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

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report SD.27/16 setting out the proposed fees and charges for 2017/18 relating to those services falling within the Community Services Directorate.

The report recorded that the income derived from ticket sales, saver permits, penalty notices and other uses of the City's car parks accounted for approximately £1.1m each year. During 2016/17 total income was broadly in line with expectations, and despite some ongoing issues with post flood recovery work, the level of ticket sales and saver permits were collectively meeting target.

During the current financial year (2016/17) the car parking service had been working to income targets set at £100k less than the Medium Term Financial Plan (MTFP), as agreed during the 2015/16 budget preparation. The service was due to revert to the previous MTFP targets in 2017/18. The following proposals were put forward:

- With the proposed increases in car parking fees and taking into account improvements in the service offered - that 'budget pressure' be reduced to £60k for one further year;
- the agreement of variations to car parking ticket charges within parameters agreed by the Executive be delegated to the Deputy Chief Executive Officer following consultation with the Portfolio Holder and Chief Finance Officer;
- The Talkin Tarn 'membership' be increased as laid out in Appendix B;
- The agreement of discounts for the sale of permit packages with local employers be delegated to the Deputy Chief Executive Officer following consultation with the Portfolio Holder and Chief Finance Officer (current charges being shown in Appendix C). That delegation would assist the City Council when looking to capture business from City Centre based businesses and in particular larger employers.

Details of the other proposed charges in relation to City Centre usage by external organisations; events; allotments; use of parks; memorialisation in green spaces; football pitches; Talkin Tarn; Bereavement Services; the Old Fire Station; the Tourist Information Centre; Digital Banner and Carlisle Focus; Waste Services and Street Cleaning; garage charge; and enforcement charges were also provided.

The charges highlighted within the report would result in an anticipated level of income of £2,775,200 against the MTFP target of £2,835,200. That represented a shortfall of £60,000 against the MTFP target.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder then formally moved the recommendations, subject to the word 'in' being replaced by 'following' in recommendations (ii) and (iii).

The Leader seconded the recommendations as amended.

Summary of options rejected None

DECISION

That the Executive:

- (i) Agreed for consultation the charges as set out in the body of Report SD.27/16 and relevant appendices with effect from 1 April 2017, noting the impact those would have on income generation as detailed within the report.
- (ii) Delegated to the Deputy Chief Executive Officer, following consultation with the Portfolio Holder and Chief Finance Officer, the agreement of discounts on the car parking permit process within agreed limitations.
- (iii) Delegated to the Deputy Chief Executive Officer, following consultation with the Portfolio Holder and Chief Finance Officer, the agreement of variations to car parking ticket charges within parameters agreed by the Executive.

Reasons for Decision

To ensure that the City Council's Corporate Charging Policy is complied with

EX.100/16 REVIEW OF CHARGES 2017/18 – ECONOMIC DEVELOPMENT
(Key Decision – KD.21/16)

Portfolio Economy, Enterprise and Housing

Relevant Overview and Scrutiny Panel Environment and Economy; and
Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report ED.45/16 setting out the proposed fees and charges for areas falling within the responsibility of the Economic Development Directorate.

The proposed charges in relation to Planning Services included Development Control income; Building Control income; and Local Plan income.

Acceptance of the charges highlighted within the report, with the exception of Building Control which was self-financing, would result in an anticipated level of income of £662,600 against the Medium Term Financial Plan target of £662,600.

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

Summary of options rejected None

DECISION

That the Executive agreed for consultation the charges, as set out in Report ED.45/16 and accompanying Appendices, with effect from 1 April 2017; noting the impact those would have on income generation as detailed within the report.

Reasons for Decision

To ensure that the City Council's Corporate Charging Policy is complied with

EX.101/16 REVIEW OF CHARGES 2017/18 – GOVERNANCE AND REGULATORY SERVICES
(Key Decision – KD.21/16)

Portfolio Finance, Governance and Resources

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

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report GD.62/16 concerning the proposed fees and charges for areas falling within the responsibility of the Governance and Regulatory Services Directorate.

The report set out the proposed charges relative to Environmental Health and Housing; Homeless, Prevention and Accommodation Services; and Legal Services.

The introduction of the proposed charges was forecast to generate income of £893,300 in 2017/18 as summarised in the table at Section 5.16 of the report.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder then formally moved the report, which was duly seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive agreed for consultation the charges as detailed within Report GD.62/16 and accompanying Appendices, with effect from 1 April 2017; and noted the impact thereof on income generation as detailed within the report.

Reasons for Decision

To ensure that the City Council's Corporate Charging Policy is complied with

EX.102/16 REVIEW OF CHARGES 2017/18 – GOVERNANCE AND REGULATORY SERVICES DIRECTORATE - LICENSING
(Key Decision – KD.21/16)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report GD.57/16 setting out the proposed fees and charges for areas falling within the responsibility of the Licensing Section of the Governance and Regulatory Services Directorate. He advised Members that the Regulatory Panel had responsibility for determining the licence fees, with the exception of those under the Scrap Metal Dealers Act 2013, which fell to the Executive.

The Deputy Leader then moved that the Executive note the charges which had been considered by the Regulatory Panel on 26 October 2016. The fees under the Scrap Metal Dealers Act 2013 were determined by the Executive for a three year period on 1 August 2016.

The Leader seconded the recommendations.

Summary of options rejected None

DECISION

That the Executive:

1. Noted the charges which were considered by the Regulatory Panel on 26 October 2016.
2. Noted that the fees under the Scrap Metal Dealers Act 2013 had been determined by the Executive for a three year period on 1 August 2016.

Reasons for Decision

To ensure that the City Council's Corporate Charging Policy is complied with and sufficient income is generated to cover the costs associated with administering and enforcing the Council's statutory licensing function

EX.103/16 REVISED CAPITAL PROGRAMME 2016/17 AND PROVISIONAL CAPITAL PROGRAMME 2017/18 TO 2021/22
(Key Decision – KD.21/16)

Portfolio Finance, Governance and Resources

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

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.36/16 detailing the revised Capital Programme for 2016/17, now totalling £10,440,000, together with the proposed method of financing. The report summarised the proposed programme for 2017/18 to 2021/22 in the light of the new capital proposals identified, together with the estimated capital resources available to fund the programme based on the announcements by Government in the spending review.

The Deputy Leader highlighted in particular Section 4 which provided details of the current commitments and new spending proposals. He emphasised that any capital scheme for which funding had been approved by Council may only proceed after a full report, including business case and financial appraisal, had been approved.

A summary of the estimated resources compared to the proposed programme year on year was also provided.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder then formally moved the recommendations as detailed within the Chief Finance Officer's report, which were seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

1. Noted the revised capital programme and relevant financing for 2016/17 as set out in Appendices A and B of Report RD.36/16;
2. Had given initial consideration and views on the proposed capital spending for 2017/18 to 2021/22 contained in the Report in the light of the estimated available resources;
3. Noted that any capital scheme for which funding had been approved by Council may only proceed after a full report, including business case and financial appraisal, had been approved.

Reasons for Decision

To note the details of the revised Capital Programme and relevant financing and make arrangements for the new capital bids to be considered as part of the 2017/18 budget process

EX.104/16 CORPORATE ASSETS – 3 YEAR REPAIR AND MAINTENANCE PROGRAMME 2017/18 TO 2019/20
(Key Decision – KD.21/16)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report GD.64/16 setting out the repair and maintenance programme budget proposals for the Council's corporate property assets for the three year period 2017/18 to 2019/20, required to ensure that the legal responsibilities of the City Council were met.

The Deputy Leader reminded Members that local authorities had a duty to manage their property assets, particularly operational assets, in a safe and efficient manner which contributed to the quality of service delivery. The maintenance strategy was fully integrated with the Asset Management Plan and environmental policy. In addition, the Council followed good practice by, where practical, allocating its budget 70% planned maintenance and 30% reactive maintenance.

The report recorded that the revenue maintenance budget amounted to approximately £736,400 spread across a wide range of assets; the Council had a capitalised major repairs and improvement programme with a provision of £150,000 included in the Capital Programme. The maintenance schedule figure on the operational buildings, based on a costed 5 year plan derived from a rolling programme of Condition Surveys, currently stood at £2,499,100. It was anticipated, however, that the reduction in the capital schemes special project fund to £150,000 per year would begin to affect future figures.

Turning to the issue of planned maintenance, the Deputy Leader reported that the projects detailed at Section 2 reflected the highest priority projects to be funded out of capital. The allocation of £150,000 for capital projects reflected the Council's current financial situation. The impact of a reducing budget was likely to result in an increase in the number of properties awaiting maintenance, although that could be alleviated by the disposal of properties with a high maintenance requirement.

He added that the maintenance budgets for the year and those for the next 3 years (as set out in the Medium Term Financial Plan) were included as Appendix A. Whilst that allocation was necessary for budget purposes the Building Maintenance and Projects Manager (authorised by the Corporate Director of Governance and Regulatory Services) could re-distribute those funds to meet specific or emergency needs. That flexibility was essential to avoid any service disruption.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder concluded by moving the recommendations set out in the report, which were seconded by the Leader.

Summary of options rejected None

DECISION

1. That the 3 year revenue maintenance programme set out in Appendix A to Report GD.64/16 be approved, with the budget of £736,400 for 2017/18, and considered as part of the budget process.
2. That the 2017/18 capital budget of £150,000 be approved for consideration as part of the budget process.

3. That the list of capital projects selected to meet the budget provision of £150,000 be approved.

Reasons for Decision

To plan the Council's repairs and maintenance programme and make proposals for future revenue and capital budgets to meet those requirements

EX.105/16 TREASURY MANAGEMENT SEPTEMBER 2016 AND FORECASTS FOR 2017/18 TO 2021/22
(Key Decision – KD.21/16)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.34/16 providing the regular quarterly report on Treasury Transactions, together with an interim report on Treasury Management as required under the Financial Procedure Rules. The report also discussed the City Council's Treasury Management estimates for 2017/18 with projections to 2021/22, and set out information regarding the requirements of the Prudential Code on local authority capital finance.

Since interest rates were not forecast to rise in the medium term, revisions had been made to the interest achievable. Average cash balances would need to be amended to reflect revised forecasts for anticipated capital receipts, capital expenditure and use of revenue reserves and that would adjust the final pressure/saving requirement from treasury management. The base Treasury Management estimates for 2017/18 with projections for 2021/22 were set out at Appendix C.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder then formally moved the recommendation set out in the report, which was duly seconded by the Leader.

Summary of options rejected None

DECISION

That Report RD.34/16 be received and the projections for 2017/18 to 2021/22 be incorporated into the Budget reports considered elsewhere on the Agenda.

Reasons for Decision

To receive the report on Treasury Management and refer it as part of the budget process

EX.106/16 LOCAL TAXATION 2017/18 – 2021/22
(Key Decision – KD.21/16)

Portfolio Finance, Governance and Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.38/16 considering aspects of Local Taxation decisions which needed to be made as part of the Budget process for 2017/18 onwards.

The Deputy Leader outlined the various considerations, including the levels of Council Tax for the City Council (including Parish Precepts), Council Tax Surplus calculations, Council Tax Base calculations, Local Support for Council Tax (LSCT), and Business Rate Retention (including Pooling arrangements). A summary of the assumptions made was also provided at Section 4.

The Executive was requested to note the content of the report; and

- Approve, for recommendation to Council as part of the budget process, the 2017/18 Local Support for Council Tax scheme as set out in paragraph 2.4.
- Approve the continuation of involvement in the Cumbria Business Rate Pool arrangements for 2017/18, subject to the continuing involvement of the other partners which would be formally agreed in January 2017 with the final decision on participation being delegated to the Chief Finance Officer.

In conclusion the Deputy Leader, and Finance, Governance and Resources Portfolio Holder formally moved the recommendations.

The Leader seconded the recommendations.

Summary of options rejected None

DECISION

That the Executive:

1. Noted the contents of Report RD.38/16 including the current assumptions built into the MTFP with regard to local taxation issues.
2. Approved, for recommendation to Council as part of the budget process, the 2017/18 Local Support for Council Tax scheme as set out in paragraph 2.4.
3. Approved the continuation of involvement in the Cumbria Business Rate Pool arrangements for 2017/18, subject to the continuing involvement of the other partners which would be formally agreed in January 2017 with the final decision on participation being delegated to the Chief Finance Officer.

Reasons for Decision

To make recommendations on aspects of Local Taxation decisions required to be made as part of the 2017/18 Budget process

EX.107/16 LAND AND PROPERTY TRANSACTION – DISPOSAL OF SHOWMAN'S SITE, WILLOWHOLME
(Key Decision – KD.22/16)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report GD.55/16 concerning the proposed freehold disposal of one of the Showman's Guild sites (Site 25) at Willowholme.

Details of the Asset Review Business Plan – Disposals Programme; and the Asset Management Plan and statutory considerations were provided at Sections 1.1 and 1.2 of the report.

In terms of the proposals under consideration, the Deputy Leader commented that the tenants of Site 25 had approached the Council with a request to purchase the site, having secured the necessary finance. The subject land was detailed on the map appended to the report. Site 26 also occupied under a lease agreement and not part of the proposal was shown hatched on the plan.

Over the years the use of Site 25 had changed and the whole site was now used by the tenants for the permanent siting of residential trailers. When sold the land was to be restricted to that use. A valuation had been undertaken which confirmed that the terms agreed and price achieved for the disposal represented best consideration reasonably obtainable in accordance with the provisions of Section 123 of the Local Government Act 1972.

Ward Councillors had been consulted on the proposal to dispose of the asset situated within their Ward.

In conclusion the Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved the recommendation which was duly seconded by the Leader.

Summary of options rejected Not to approve the freehold disposal of Site 25

DECISION

That the Executive approved the freehold disposal of Site 25, Willowholme Industrial Estate to the existing tenant, on the terms outlined in private Report GD.55/16.

Reasons for Decision

In order to more effectively manage the Council's operational and non-operational assets and to bring forward the strategic objectives set out in the Asset Review Business Plan and Asset Management Plan

EX.108/16 TULLIE HOUSE BUSINESS PLAN
(Key Decision – KD.20/16)

Portfolio Culture, Heritage and Leisure

Relevant Overview and Scrutiny Panel Community

Subject Matter

The Culture, Heritage and Leisure Portfolio Holder submitted report SD.23/16 introducing the Tullie House Museum and Art Gallery Trust 2017 - 2020 Business Plan.

The purpose of the report was to facilitate consideration of the Business Plan in order that the Council may, in due course, agree core funding for the Trust. That was in line with Section 5 of the Partnership Agreement signed at the establishment of the Trust, that the Business Plan submitted by the Trust to the City Council should be used as the basis for agreeing funding.

In conclusion the Culture, Heritage and Leisure Portfolio Holder moved that the Executive consider the report and the proposed Business Plan; and make the report available for consideration by the Community Overview and Scrutiny Panel.

The Leader seconded the recommendations.

Summary of options rejected None

DECISION

That the Executive:

1. Had given consideration to Report SD.23/16 and the proposed Tullie House Museum and Art Gallery Trust Business Plan 2017 - 2020.
2. Made the report available for consideration by the Community Overview and Scrutiny Panel.

Reasons for Decision

The recommendations allowed the report, the associated Business Plan and core funding to be approved in line with the Partnership Agreement

EX.109/16 APPLICATION FOR DISCRETIONARY RATE RELIEF – RUFUS HOUSE
(Key Decision – KD.25/16))

Portfolio Economy, Enterprise and Housing

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder reported (ED.40/16) upon the receipt of an application for discretionary rate relief for a large empty hard to let premises. Background information on the Council's Discretionary Rate Relief Policy, which was designed to encourage business and support the Council's economic development objectives, was provided at Section 1 of the report.

The current application, made by the Edinburgh Woollen Mill Limited, concerned the occupation of Rufus House, 5/11 Castle Street, Carlisle CA3 8TF for the purposes of the business group's headquarters.

The Deputy Leader outlined the conditions which must be met in order for an organisation to apply to be considered for 100% discretionary business rate relief for two years; the commitment by the applicant to long term occupation of Rufus House; the significant economic and wider benefits emanating from the proposal; and the financial considerations and risks as set out at Sections 2, 3 and 4.

It was considered that the application by Edinburgh Woollen Mill Limited, relating specifically to the reoccupation of Rufus House, fulfilled all of the requirements of the Discretionary Business Rate Relief Policy for hard to let empty business premises. Based on that and the belief that the reoccupation would give rise to significant economic benefits, and in doing so would therefore be in the interests of Carlisle City Council Tax payers, it was recommended that the maximum relief permitted by the policy be granted.

The Deputy Leader emphasised that the Head Office operations would see approximately 300 staff work from Rufus House and, whilst not all of those would be new, a number of new jobs would potentially be created. He welcomed that as another example of the confidence which existed in the City.

The Economy, Enterprise and Housing Portfolio Holder concurred with the Deputy Leader's comments. It was pleasing to note that another national company wished to locate within Carlisle, that fact reflecting a recognition of Carlisle and what it had to offer.

The Portfolio Holder commented upon the importance of the location of Rufus House within the Historic Quarter adding that, in acting to bring the building back into occupation, a direct and significant multi million pound investment in terms of the acquisition and refurbishment costs would occur.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder formally moved the recommendations.

Since it was in the interest of both the City and the Council to approval of the application, the Economy, Enterprise and Housing Portfolio Holder was most happy to second the recommendations.

Summary of options rejected Not to approve the application

DECISION

That the Executive:

1. approved the application for 100% discretionary business rate relief for two years for Rufus House, a large empty hard to let premises [as listed in Appendix 1 of the relevant Discretionary Rate Relief Policy], and in doing so was satisfied that the award was in the interests of Carlisle City Council Tax Payers.
2. Noted that the value of such relief would be £168,980.00 over two years.

Reasons for Decision

To consider an application for discretionary rate relief for a large empty hard to let premises

EX.110/16 SHADDONGATE RESOURCE CENTRE – GRANT OF LEASE (Key Decision – KD.26/16)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Communities, Health and Wellbeing Portfolio Holder reported (GD.63/16) that the Shaddongate Resource Centre had been vacant since December 2015 having been badly affected by the floods and following the former occupier giving notice to terminate their occupation agreement.

As part of the flood recovery programme, the contract for reinstatement work had now been awarded and works had commenced in mid November with an anticipated handover date of early March 2017.

Referencing Section 2 the Portfolio Holder explained that, following detailed consideration of the future of the asset, the preferred option was to let the premises to a Third Sector group to support the continued use as a community facility following reinstatement thereof.

Members' attention was also drawn to the statutory requirements and Council policy outlined at Section 3.

In conclusion the Communities, Health and Wellbeing Portfolio Holder moved that the Executive approve, for recommendation to Council, the grant of a lease of the asset at less than best consideration to the Cumbria Council for Voluntary Services (CVS) to ensure that a sustainable community offer could be provided from the asset.

The Leader seconded the recommendation.

Summary of options rejected None

DECISION

That the Executive approved, for recommendation to Council, the grant of a lease at less than best consideration to Cumbria CVS on the provisionally agreed terms shown in Appendix 2 to Report GD.63/16, with the agreement of final detailed terms to be delegated to the Building and Estates Services Manager in consultation with the Contracts and Community Services Manager.

Reasons for Decision

Extensive discussions relating to the future of the vacant premises on Shaddongate both within the Council and with third sector interested parties had resulted in the selection of a preferred tenant. To ensure the community offer from the premises was sustainable, a lease at less than best consideration was proposed to be granted on the provisional terms outlined

EX.111/16 SCHEME OF HOUSING ASSISTANCE (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, Health and Wellbeing

Relevant Overview and Scrutiny Panel Community

Subject Matter

The Communities, Health and Wellbeing Portfolio Holder submitted report GD.66/16 concerning the Scheme of Housing Assistance.

The Portfolio Holder informed Members that, following a significant increase in the City Council's Disabled Facilities Grant (DFG) funding (to help disabled, elderly and vulnerable people to live independently), it was recommended that the City Council introduced additional discretion into its Housing Renewal Assistance Policy by broadening the scope of work that could be covered under a DFG and by using specific DFG funding for wider purposes.

The City Council was able to introduce such flexibility using freedoms given to it following the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and recent Technical Guidance issued with the Better Care Fund.

Members' attention was also drawn to the further background information included in the Briefing Paper attached at Appendix 2, together with the revised Policy for Housing Renewal Assistance 2017 provided at Appendix 1. The revised Policy confirmed the position regarding Mandatory Disabled Facilities Grants.

The Communities, Health and Wellbeing Portfolio Holder concluded by moving the recommendations detailed within the report, which were duly seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

1. Had considered the proposed revised Housing Renewal Assistance Policy 2017, Appendix 1 to Report GD.66/16.
2. Referred the said Policy to the Community Overview and Scrutiny Panel for consideration in accordance with the Council's Budget and Policy Framework.

Reasons for Decision

The revised Housing Renewal Assistance Policy would assist in ensuring that best use was made of the increased level of DFG capital funding whilst making use of existing capacity and expertise within the Housing and Pollution and Homelife teams

The introduction of such flexibility into the process was being promoted as good practice nationally and in line with government and local policies

EX.112/16 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 21 October 2016 was submitted for information.

The Corporate Director of Economic Development was scheduled to submit a report concerning Public Realm improvements to the Green Market (KD.27/16). The matter was, however, deferred to enable issues raised by Overview and Scrutiny to be addressed.

The Chief Finance Officer was scheduled to report upon a Review of Reserves and Balances (KD.21/16). Further work 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 21 October 2016 be noted.

Reasons for Decision

Not applicable

EX.113/16 SCHEDULE OF DECISIONS TAKEN BY PORTFOLIO HOLDERS
(Non Key Decision)

Portfolio Environment and Transport; Economy, Enterprise and Housing; Leader;
Finance, Governance and Resources; and Culture, Heritage and Leisure

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

Subject Matter

Details of decisions taken by Portfolio Holders 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.114/16 SCHEDULE OF DECISIONS TAKEN BY OFFICERS
(Non Key Decision)

Portfolio Cross-cutting

Relevant Overview and Scrutiny Panel Community; Environment and Economy;
and 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 B, be noted.

Reasons for Decision

Not applicable

EX.115/16 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 meeting of the Joint Management Team held on 26 September 2016 were submitted for information.

Summary of options rejected None

DECISION

That the Minutes of the meeting of the Joint Management Team held on 26 September 2016, attached as Appendix C, be received.

Reasons for Decision

Not applicable

EX.116/16 MARKET MANAGEMENT GROUP
(Non Key Decision)

Portfolio Various

Relevant Overview and Scrutiny Panel

Community; Environment and
Economy; and Resources

Subject Matter

The Minutes of the meeting of the Market Management Group held on 2 November 2016 were submitted for information.

Summary of options rejected None

DECISION

That the Minutes of the meeting of the Market Management Group held on 2 November 2016, attached as Appendix D, be received.

Reasons for Decision

Not applicable

EX.117/16 REFERENCE FROM OVERVIEW AND SCRUTINY
(Non Key Decision)

Portfolio Various

Relevant Overview and Scrutiny Panel

Community; Environment and
Economy; and Resources

Subject Matter

Consideration was given to a reference from the Resources Overview and Scrutiny Panel on 20 October 2016. Following their consideration of Report GD.51/16 detailing the need for essential repair works to the Market Hall premises, together with proposals to extend the head-lease and under-lease of the premises, the Panel had resolved:

“1) That the Panel noted the resolution of the Executive on 26 September 2016 (EX.85/16 refers) and requested that the Executive considered the Panels concerns regarding the extension of the head lease and asked that the Executive made the final decision.

2) That a report be submitted to the next Panel meeting detailing the relationship with stallholders and the managing agents and provides up to date information and feedback from the October Market Management Group.”

A copy of Minute Excerpt ROSP.84/16 had been circulated.

The Chairman of the Resources Overview and Scrutiny Panel had been invited to speak, but was not in attendance.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder gave a brief summary of the background / current position.

In response to recommendation 1) and the Panel's concerns regarding the extension of the Head Lease, the Deputy Leader stated that a further report would be submitted to the Executive for consideration and agreement of the proposed head-lease and under-lease extension.

The Economy, Enterprise and Housing Portfolio Holder added that she had given an assurance to the Resources Overview and Scrutiny Panel at their last meeting that a report would be provided as requested at recommendation 2).

Summary of options rejected None

DECISION

That the Executive had given consideration to the reference from the Resources Overview and Scrutiny Panel (ROSP.84/16); and responded to their recommendations as outlined above.

Reasons for Decision

To respond to a reference from the Resources Overview and Scrutiny Panel

EX.118/16 REVENUE BUDGET OVERVIEW AND MONITORING REPORT: APRIL TO SEPTEMBER 2016
(Non Key Decision)

Portfolio Finance, Governance and Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted the Revenue Budget Overview and Monitoring Report (RD.32/16) for the period April to September 2016. He outlined the overall budget position, the monitoring and control of expenditure against budget allocations and the exercise of virement. Details of balance sheet management issues and action taken by the Chief Finance Officer to write-off bad debts were also provided.

The Deputy Leader highlighted the updated Budget figure for 2016/17 of £13,784,800 together with the main income and expenditure variances summarised at Section 3.3.

As at September 2016, there were savings of £253,900 as a result of previous year's inflation provision; however also included was an overspend on insurance renewals due to increased premiums as a result of the December 2015 flood. Members of the Executive had approved a recurring virement of £196,000 to fund the increased insurance premiums which was subsequently approved by Council on 8 November 2016. That had yet to be reflected within the figures.

As part of the 2015/16 out-turn, the Executive had also approved the transfer of £350,000 into the Transformation Reserve to fund one-off costs from VR/ER requests that were postponed into the current year. The Executive was requested to release the £350,000 balance from the reserve. Spending of the reserve was delegated to the Town Clerk and Chief Executive in conjunction with the Portfolio Holder for Finance, Governance and Resources.

The Deputy Leader added that the Council's financial position, which was affected by a number of external factors which had a financial impact during the course of the year and ultimately at the year end, would continue to be closely monitored and reported more fully in the Quarter 3 monitoring report to the end of December 2016. It would be important to maintain a prudent approach so as to ensure a sustainable budget position for future years to avoid any significant variance at the year end.

Members were also asked to note that a full review of the profiling of budgets continued to be undertaken to allow better year end forecasting to be incorporated into the budget monitoring process and 2017/18 budget process.

The Deputy Leader further pointed out that the main variances in the Directorates' Budgets were also set out in the report and he gave an overview of the forecast outturn position for 2016/17.

On the issue of balance sheet management, he added that there may be a significant impact on the cash flow of the Council if outstanding debts were not received. Any debts deemed to be irrecoverable were written off against a bad debt provision set up specifically for that purpose. Other significant debts related to Council Tax, NNDR and Housing Benefit overpayments.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder concluded by moving the report, which was duly seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

1. Noted the budgetary performance position of the Council to September 2016;
2. Noted the action taken by the Chief Finance Officer to write off bad debts as detailed in paragraph 6 of Report RD.32/16; and
3. Approved the release of the £350,000 transformation reserve to fund one-off transformation costs.

Reasons for Decision

To show that the Executive had been informed of the Council's actual financial position compared with the budgeted position, and to bring to their attention any areas of concern

EX.119/16 CAPITAL BUDGET OVERVIEW AND MONITORING REPORT – APRIL TO SEPTEMBER 2016
(Non Key Decision)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.33/16 providing an overview of the budgetary position of the City Council's capital programme for the period April to September 2016. He outlined in some detail the capital budget overview; the overall budget position for the various Directorates; the monitoring and control of expenditure against budget allocations and the exercise of virement.

The Deputy Leader particularly pointed out that as at the end of September, expenditure of £3,018,453 had been incurred. When considered against the profiled budget of £3,505,187 that equated to an underspend of £486,234. The unspent balance remaining of the revised annual budget of £9,860,000 was £6,841,047. That would be closely monitored over the following months to identify accurate project profiles and any potential slippage into future years.

Members would also be particularly aware of the position concerning the Central Plaza Hotel as referenced within the report.

In addition, Section 3.6 recorded that a number of schemes were included in the capital programme for 2016/17 which required reports to be presented to the Executive for the release of funding before the project could go ahead.

The Deputy Leader emphasised that the 2016/17 programme had been kept to a level that took account of the Council's ability to deliver schemes with regard to capacity and available resources. Work was ongoing to continue to monitor the profiling of budgets, and those were adjusted to reflect progress in current capital schemes. It was likely that there would still be a requirement for some carry forwards at the year end due to further slippage and delays on projects. Budgets totalling £580,000 were being held in reserves until approved by Executive for release.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder then moved the recommendations set out in the report, which were seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

1. Noted the budgetary position and performance aspects of the capital programme for the period April to September 2016.
2. Would use the information contained within Report RD.33/16 to inform the budget considerations for 2017/18 onwards.
3. Approved the release of £44,000 from the Conservation Reserve to fund emergency work in relation to the Central Plaza as per Officer Decision Notice OD.104/16.

Reasons for Decision

To inform the Executive of the Council's actual financial position opposite its Capital programme for 2016/17

EX.120/16 CUMBRIA CHOICE – UPDATE TO CHOICE BASED LETTINGS POLICY
(Non Key Decision)

Portfolio Economy, Enterprise and Housing

Relevant Overview and Scrutiny Panel Community

Subject Matter

The Economy, Enterprise and Housing Portfolio Holder submitted report ED.35/16 presenting the updated 'Cumbria Choice' allocation policy for social housing, which had been signed off by the Cumbria Choice Project Board on 20 September 2016.

The Portfolio Holder provided a brief overview of the background position, together with the benefits of the Cumbria Choice Policy which came into operation in May 2011. She added that, although Cumbria Choice had been operating successfully for over five years, it was periodically necessary to review and update the allocation policy to ensure that Cumbria Choice remained fit for purpose and had regard to changes to legislation, good

policy and practice e.g. in respect of Welfare Reform. The policy was last updated in August 2013.

The Project Board, made up of representatives from all partners, did not consider a major overhaul of Cumbria Choice to be necessary.

Members' attention was drawn to the updated policy attached at Appendix 1 to the report. Details of the most significant updates and additions to the policy, and the in depth consultation undertaken were detailed at Sections 2.2 and 3.1.

The Economy, Enterprise and Housing Portfolio Holder then moved the recommendation which was seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive approved the updated Cumbria Choice allocations policy as appended to Report ED.35/16.

Reasons for Decision

Approval of the updated Cumbria Choice allocation policy would add clarity to the existing policy, ensuring it was fit for purpose, and complied with the latest Government guidance and legislation (e.g. *Right to Move*) published since the last review. Approval would enable the Cumbria Choice Project Board to instruct its IT contractor, Abritas, to update the Cumbria Choice IT system with the latest changes

EX.121/16 DATES AND TIMES OF MEETINGS FOR 2017/18 (Non Key Decision)

Portfolio Cross Cutting

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

Subject Matter

The Leader submitted report GD.61/16 concerning proposed dates and times of meetings of the City Council, the Executive, Overview and Scrutiny Panels, the Audit Committee and the Regulatory Committees for the 2017/18 municipal year.

Members' attention was, in particular, drawn to the proposals with regard to meetings of the Executive and the Budget process set out at Section 1 of the report.

The Leader then moved that the report go forward to the City Council in January 2017 for approval.

Summary of options rejected None

DECISION

1. That the City Council be requested to agree the schedule of dates and times of meetings in the 2017/18 Municipal Year as set out in the calendar attached as an Appendix to Report GD.61/16.
2. That the dates and times for meetings of the Executive, which had been chosen by the Leader, be noted.

Reasons for Decision

In order to recommend to the City Council a schedule of dates and times for meetings covering the 2017/18 Municipal Year as required by Procedure Rule 1.1(x)

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 numbers (as indicated in brackets against the minutes) of Part 1 of Schedule 12A of the 1972 Local Government Act.

EX.122/16 LAND AND PROPERTY TRANSACTION – DISPOSAL OF SHOWMAN'S SITE, WILLOWHOLME

(Key Decision – KD.22/16)

(Public and Press excluded by virtue of paragraph 3)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted private report GD.55/16 seeking Executive approval to the freehold disposal of one of the Showman's Guild sites (Site 25) on the Willowholme Industrial Estate to the existing tenant.

Details of the background to the proposal were contained in public report GD.55/16 considered earlier in the meeting.

Members' attention was drawn to the provisionally agreed Heads of Terms for the freehold disposal now outlined.

In conclusion the Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved the recommendation which was seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive approved the freehold disposal of Site 25, Willowholme Industrial Estate to the existing tenant, on the provisionally agreed terms.

Reasons for Decision

As detailed in private report GD.55/16

EX.123/16 LAND AND PROPERTY TRANSACTION
(Non Key Decision)
(Public and Press excluded by virtue of paragraph 3)

Portfolio Environment and Transport

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Environment and Transport Portfolio Holder submitted private report GD.65/16 concerning a proposed land and property transaction.

Details of the proposal; the policy and statutory considerations; the best value considerations; and the consultation undertaken on the matter were provided.

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

Summary of options rejected Not to grant approval for the freehold transfer of the land

DECISION

That the Executive consented to the release and freehold transfer of the land adjoining 22 Peel Street to the owner of 22 Peel Street, on the terms and conditions outlined in Report GD.65/16, subject to the agreement of final detailed terms by the Building and Estates Services Manager in consultation with the Green Spaces Manager.

Reasons for Decision

As detailed in private Report GD.65/16

(The meeting ended at 4.38 pm)