

Governance Directorate

Assistant Director (Governance): M D Lambert LLB (Hons), MBA

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TO: THE MAYOR AND MEMBERS OF
THE CITY COUNCIL

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

Mr Lambert

01228 817019

MarkL@carlisle.gov.uk

MDL/

11 July 2011

Dear Sir/Madam

RE: COUNCIL MEETING – TUESDAY 19 JULY 2011 AT 6.45 PM

You are summoned to attend the meeting of Carlisle City Council, which will be held at
6.45 pm on Tuesday 19 July 2011 in the Council Chamber, Civic Centre, Carlisle.

A G E N D A

1. The Mayor will invite the Chaplain to open the meeting with prayers.
2. The Town Clerk and Chief Executive will call the roll.
3. **Minutes**

The Council will be asked to receive the Minutes of the meetings of the City Council held on 26 April and 23 May 2011.

4. **Public and Press**

To determine whether any of the items of business within Part A of the Agenda should be dealt with when the public and press are excluded from the meeting.

To determine whether any of the items of business within Part B of the Agenda should be dealt with when the public and press are present.



INVESTOR IN PEOPLE

5. Declarations of Interest

Members are invited to declare any personal interests and any personal interests which are also prejudicial, relating to any item on the Agenda, at this stage.

6. Announcements

- (i) To receive any announcements from the Mayor
- (ii) To receive any announcements from the Leader of the Council
- (iii) To receive any announcements from Members of the Executive
- (iv) To receive any announcements from the Town Clerk and Chief Executive

7. Questions by Members of the Public

(1) Gardens in Botcherby

Pursuant to Procedure Rule 10.1, the Town Clerk and Chief Executive to report the receipt of the following question which has been submitted on notice by Mr C Muir:

“Many residents in Botcherby take good care of their gardens, but some gardens in Botcherby are in a bad state of repair because the same attention is not paid to them.

Can the Portfolio Holder explain why tenancy agreements regarding gardens are not being enforced by Riverside which results in debris, rubbish and weeds being an eyesore?

I have contacted Riverside on various occasions and nothing has been done. I have had the reply ‘wait and see if it gets any worse’. This question does not only relate to a garden beside me but also other areas in Botcherby where many people are being ignored by Riverside also.”

(2) Development on land adjacent to Chapel Brow

Pursuant to Procedure Rule 10.1, the Town Clerk and Chief Executive to report the receipt of the following question which has been submitted on notice by Mr G Anderson:

“With the intent of new build on land adjacent to Chapel Brow by the developer Persimmons; with consultation on this development in my view having been somewhat thin on the ground, I would like to ask the following question:

Has the developer carried out any risk assessments for this development and, if so, where can I view the findings?”

(3) Development on land adjacent to Chapel Brow

Pursuant to Procedure Rule 10.1, the Town Clerk and Chief Executive to report the receipt of the following question which has been submitted on notice by Mr J Paton :

“Why has the safety of Durranhill Road not been taken into account in relation to the development by Persimmon Homes?”

8. Presentation of Petitions and Deputations

Pursuant to Procedure Rule 10.11, the Town Clerk and Chief Executive to report that no petitions or deputations have been submitted by members of the public.

9. Questions from Members of the Council

Pursuant to Procedure Rule 11.2, the Town Clerk and Chief Executive to report the receipt of the following question submitted on notice by Councillor Tootle:

“At a recent meeting with the group attempting to bring the Waverly Bridge back into use for foot traffic the progress on moving this forward was encouraging. The petition gathered and submitted to Council some time ago shows the strength of feeling by many groups to open up access in this area. It is at the stage where plans and costings are being prepared for a safe pedestrian pathway marked by a secure fence across the bridge.

The only area of concern is ownership of the land at the northern end of the bridge. Could the portfolio holder confirm that the land belongs to the Environment Agency and not a private landowner.

As steps down to the footpath at the northern side of the river would be necessary to link to the existing footpath, it would be easier to run down from the edge of the bridge which makes ownership of the land important for ease of access.”

10. **Executive**

(a) Minutes

The Council will be requested to receive the Minutes of the meeting of the Executive held on 18 April and 27 June 2011 and ask questions of the Leader and Portfolio Holders on those Minutes.

(b) Portfolio Holder Reports

The Council will be asked to receive reports from the following Portfolio Holders:

- (i) Leader
- (ii) Governance and Resources*
- (iii) Community Engagement
- (iv) Economic Development
- (v) Environment and Housing
- (vi) Performance and Development

and ask questions of the Leader and Portfolio Holders on those Reports.
(Copy Reports herewith / to follow*)

11. **Overview and Scrutiny**

The Council will be asked to receive the Minutes from the following meetings of the Overview and Scrutiny Panels and to ask questions of the Chairmen; and receive reports from the Chairmen of the Overview and Scrutiny Panels:

(i) Community Overview and Scrutiny Panel

- (a) Minutes of the meeting held on 9 June 2011
- (b) Chairman's Report

(ii) Resources Overview and Scrutiny Panel

- (a) Minutes of the meeting held on 16 June 2011
- (b) Chairman's Report

(iii) Environment and Economy Overview and Scrutiny Panel

(a) Minutes of the meeting held on 23 June 2011

(b) Chairman's Report

(Copy Reports herewith)

12. **Regulatory Panel**

To receive the Minutes of the meetings of the Regulatory Panel held on 20 April, 1 June and 6 July 2011.

13. **Licensing Committee**

To receive the Minutes of the meeting of the Licensing Committee held on 1 June 2011.

14. **Development Control Committee**

To receive the Minutes of the meetings of the Development Control Committee held on 13 and 15 April; and 8, 8 and 10 June 2011.

15. **Audit Committee**

To receive the Minutes of the meeting of the Audit Committee held on 11 April 2011.

16. **Notice of Motion**

(1) Independent Group

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive to report the receipt of the following Motion submitted on notice by Councillor Betton:

"To enable the Independent Group to fully represent our constituents, could we have the basic needs which are a small room, equipped with printer, phone, computer and Member Support Officer.

We call upon Members of the City Council to support us in this motion."

(2) NHS North Cumbria University Trust

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive to report the receipt of the following Motion submitted on notice by Councillor Hendry:

“The Council calls on the Collation Government for an extension of the Trust’s financial deadline from 2013/2014 to 2015/2016 to allow consideration of the particular financial and service needs of the North Cumbria Trust to be addressed.

This Council also calls on the Government to ensure that any takeover between the NHS North Cumbria University Trust and any other Trust, maintains the necessary levels and standards of service that the people of Carlisle have a right to expect from their local National Health Service. Further, that Cumbria representatives on any future joint Trust Board would have the authority to veto any changes to levels of front line services that would be detrimental to the NHS service in North Cumbria.”

(3) Eden District Council’s Invitation to Collaborate

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive to report the receipt of the following Motion submitted on notice by Councillor Hendry:

“This Council calls for an assurance that there will be no appointment of a shared Chief Executive or shared Management Team between Carlisle and Eden.

Further, while we are prepared to consider the possibility of shared services with any other authorities (including Cumbria County Council and District Councils). We insist that in any agreement there must be a sound and transparent business case that will benefit the citizens of Carlisle.”

(4) Member Support

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive to report the receipt of the following Motion submitted on notice by Councillor Betton:

“We ask Council to support this motion for a part time provision by way of a part time Member Support Officer for 16 hours per week, to commence before the end of July, for support for the Independent Group.

We would like the part time MSO to be a non-shared position for use of the Independent Group only.”

17. Proposals from the Executive in relation to the Council’s Budget and Policy Framework

(i) EX.060/11 – Provisional General Fund Revenue Outturn 2010/11

Pursuant to Minute EX.060/11, to note the General Fund Revenue Outturn for 2010/11 and consider the Executive’s recommendations as set out below:

- (1) That the City Council approve the carry forward requests totalling £1,758,700 (£991,500 to be met in 2011/12, £644,100 in 2012/13 and £123,100 in 2013/14) as set out in Report RD.12/11.
- (2) That the City Council approve the requests to carry forward £119,200 for new items of expenditure (noted as Category ‘B’ in Appendix B, of which £116,700 to be met in 2011/12 and £2,500 in 2012/13).
- (3) That the City Council approve the transfer of the Job Evaluation Reserve into the Transformation Reserve, as detailed in paragraph 3.3.
- (4) That the City Council approve the provision of £74,400 set aside to cover potential refunds of personal search fees as detailed in paragraph 3.4.

(Copy Report RD.12/11 and Minute Excerpt from the Executive herewith / Copy Minute Excerpt from the Audit Committee to follow)

(ii) EX.061/11 – Provisional Capital Outturn 2010/11 and Revised Capital Programme 2011/12

Pursuant to Minute EX.061/11, to note the Capital Outturn for 2010/11 and the revised Capital Programme for 2011/12. Council is requested to consider the Executive’s recommendations as set out below:

- (1) That the City Council approve the carry forward requests totalling £1,093,600 (£1,073,600 to be met in 2011/12 and £20,000 in 2012/13) as set out in Report RD.11/11.
- (2) That the City Council approve the requests to carry forward £12,100 for new items of expenditure to be met in 2011/12.
- (3) That the City Council approve the use of the Sheepmount Reserve in 2010/11 to fund expenditure on Sheepmount Drainage.
- (4) That the City Council approve the revised Capital Programme for 2011/12 onwards should the carry forwards be approved.

(Copy Report RD.11/11 and Minute Excerpt from the Executive herewith / Copy Minute Excerpt from the Audit Committee to follow)

(iii) EX.062/11 - Treasury Management Outturn 2010/11

Pursuant to Minute EX.062/11, to consider the recommendation of the Executive that the City Council approve the Treasury Management Outturn for 2010/11 as detailed in Report RD.13/11.

(Copy Report RD.13/11 and Minute Excerpt from the Executive herewith / Copy Minute Excerpt from the Audit Committee to follow)

(iv) EX.077/11 and AUC.26/11 – Strategic Audit Plan and Audit Plan for 2011/12

Pursuant to Minutes EX.077/11 and AUC.26/11, to consider a recommendation from the Executive and the Audit Committee that the Audit Risk Assessment (Strategic Risk Based Plan) and the Internal Audit Plan for 2011/12 be approved by Council.

(Copy Report RD.18/11 and Minute Extracts herewith)

(v) EX.078/11 and AUC.21/11 – Certification of Claims and Returns – Annual Report

Pursuant to Minute EX.078/11 and AUC.21/11, to consider the Audit Commission's Annual Report on Claims and Returns for 2009/10.

(Copy Report and Minute Extracts herewith)

18. Reference from the Audit Committee – Arrangements for the Approval of the City Council's Accounts

Pursuant to Minute AUC.25/11, to consider a reference from the Audit Committee that responsibility for approval of the City Council's Accounts should be delegated to the Audit Committee.

(Copy Report RD.7/11 and Minute Extract herewith)

19. **Reference from the Employment Panel – Assistant Director – Vacancy Management and Capacity**

To consider a recommendation from the Employment Panel regarding vacancy management and capacity at Assistant Director level.

(Copy Report SD.07/11 herewith and Minute Extract to follow)

20. **Representations on Outside Bodies**

To consider a report of the Assistant Director (Governance) regarding appointment of Representatives to Outside Bodies.

(Copy Report GD.26/11 herewith)

21. **Decisions taken as a Matter of Urgency**

Pursuant to Overview and Scrutiny Procedure Rule 15 (i), the Assistant Director (Governance) to report on decisions taken as urgent decisions and dealt with as a matter of urgency without the need for call-in.

It is a requirement under the above Procedure Rule 15 (i) for decisions taken as a matter of urgency to be reported to the next available meeting of the City Council.

(Copy Report GD.43/11 herewith)

22. **Communications**

To receive and consider communications and to deal with such other business as may be brought forward by the Mayor as a matter of urgency, in accordance with Procedure Rule 2.1(xiv) to pass such resolution or resolutions thereon as may be considered expedient or desirable.

PART 'B'

To be considered in private

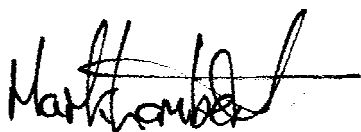
23. **Reference from the Employment Panel – Options for Transitional Arrangements following the Retirement of the Town Clerk and Chief Executive on 31 August 2011**

This report is not for publication by virtue of paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, as the report contains exempt information relating to any individual

To consider recommendations from the Employment Panel concerning transitional arrangements following the retirement of the Town Clerk and Chief Executive.

(Copy Report CE.22/11 herewith and Minute Extract to follow)

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Chamberlain', with a long horizontal stroke extending to the right.

Assistant Director (Governance)