

(Approved by Council 11 January 2011)

**EXECUTIVE (SPECIAL MEETING)**

**MONDAY 12 DECEMBER 2011 AT 12 NOON**

**PRESENT:**

Councillor Mitchelson (Leader's Portfolio)  
Councillor J Mallinson (Governance and Resources Portfolio Holder)  
Councillor Bloxham (Environment and Housing Portfolio Holder)  
Councillor Mrs Bowman (Economic Development Portfolio Holder)  
Councillor Ellis (Performance and Development Portfolio Holder)  
Councillor Mrs Geddes (Community Engagement Portfolio Holder)

**ALSO PRESENT:**

Councillor Mrs Luckley (Chairman of the Community Overview and Scrutiny Panel)  
Councillor Mrs Rutherford (Chairman of the Environment and Economy Overview and Scrutiny Panel)  
Councillor Layden (Chairman of the Resources Overview and Scrutiny Panel)  
Councillor Glover (Chairman of the Disabled Facilities Grants Task and Finish Group)  
Councillor Craig (Chairman of the Carlisle Enterprise Centre Task and Finish Group)  
Councillors Allison and Morton (Observers)

**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.

**EX.164/11 TULLIE HOUSE BUSINESS PLAN AND LEASE ARRANGEMENTS**  
(Key Decision)

**Portfolio** Performance and Development

## **Subject Matter**

Pursuant to Minute EX.150/11, the Assistant Director (Community Engagement) submitted report CD.30/11 considering the Tullie House Museum and Art Gallery Trust 2011 - 2014 Business Plan and Lease term issues.

By way of a reminder, the Assistant Director (Community Engagement) summarised the steps leading up to the establishment of the Trust in April 2011; the key milestones outlined in the draft Business Plan, together with the financial and legal implications. He further outlined details of a proposed extension to the lease arrangements from the City Council for the property occupied by the Trust.

The draft Business Plan had been included on the Agenda as a private item as it was not for publication by virtue of paragraphs 3 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

The Community Overview and Scrutiny Panel had, on 24 November 2011, considered and welcomed Report CD.27/11 on the matter. A copy of Minute Excerpt COSP.90/11 had been circulated.

The Chairman of the Community Overview and Scrutiny Panel was present at the meeting. She informed the Executive that the Panel had questioned the proposed extension to the Tullie House Lease, but considered the responses provided to be satisfactory. Overall the Panel had welcomed the report.

The Community Engagement Portfolio Holder made reference to a number of very prestigious, high profile and well attended exhibitions provided subsequent to formation of the Trust, in particular the Roman and Little Black Dress exhibitions. She considered that Tullie House should be commended for the promotion of such events.

The Environment and Housing Portfolio Holder was delighted by submission of the reports. He congratulated the City Council and the Tullie House Museum and Art Gallery Trust for work undertaken.

The Performance and Development Portfolio Holder outlined the Executive's support of the Business Plan which was cautious in terms of the financial aspects, but ambitious in its aspirations. Although the Trust was in its infancy, he paid tribute to the considerable potential and talent available within the new Board.

The Portfolio Holder then moved the following recommendations:

1. That the Executive had considered the report and supported the proposed business plan;
2. That the Executive approved the core funding for 2012/13 and the commitment to funding for 2013/14 for recommendation to Council; and

3. That the Executive recommended an extension of the Lease arrangements from 25 years to 30 years to the City Council for approval.

**Summary of options rejected** None

## **DECISION**

That the Executive:

1. had considered Report CD.30/11 and supported the proposed Tullie House Business Plan.

2. approved the core funding for 2012/13 and the commitment to funding for 2013/14 for recommendation to Council.

3. recommended an extension of the Lease arrangements from 25 years to 30 years to the City Council for approval.

## **Reasons for Decision**

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

## **EX.165/11 BUDGET 2012/13 – FEEDBACK FROM THE OVERVIEW AND SCRUTINY PANELS ON THE DRAFT BUDGET REPORTS** (Key Decision)

**Portfolio** Governance and Resources

## **Subject Matter**

The Minutes of the meetings of the following Overview and Scrutiny Panels relating to the draft Budget reports considered by the Executive on 22 November 2011 were submitted:

- (a) Community - 24 November 2011 (COSP.95/11)
- (b) Environment and Economy - 1 December 2011 (EEOSP.74/11 and EEOSP.77/11 (Car Parking Study); and EEOSP.75/11)
- (c) Resources - 6 December 2011 (ROSP.85/11 - ROSP.93/11)

Copies of the above Minute Excerpts had been circulated.

The Leader then invited the Chairmen of the respective Overview and Scrutiny Panels to speak:

- (a) The Chairman of the Community Overview and Scrutiny Panel was in attendance and outlined the debate, highlighting in particular the Panel's comments / concerns in relation to the Olympic Torch Relay; Income below

target; the impact of water charges upon allotment holders; and the Hostel Service.

In response, the Leader advised that the Olympic Torch Relay was a major event in which Carlisle would participate. Although planning was underway, relative costs were not yet available. Overview and Scrutiny would be able to obtain further updates as the matter progressed.

The Environment and Housing Portfolio Holder further explained that the need for increased water charges over a period of time had been agreed with allotment holders some years before. Under that agreement, the Council undertook to take steps to ensure that more than one water connection was available within the larger allotments and work had been done in that regard.

Referring to the Hostel Service, the Portfolio Holder recognised that the charges did not include a support element and emphasised the need to look very seriously at the service and information provided by the City Council. He was quite concerned that the Council had been unsuccessful in securing Supporting People funding. In conclusion, he applauded Overview and Scrutiny Members for their views on the Resource Centre.

The Community Engagement Portfolio Holder made reference to the terminology used with regard to the Olympic Torch Relay, pointing out that Carlisle would host a 'stage' rather than a 'leg'. She added that the relay was scheduled to pass through areas where there were many sporting facilities, and expressed the hope that everyone would engage with the City Council in showcasing the facilities available within Carlisle.

Referring to the concerns expressed with regard to the impact of the proposed Council Tax freeze, the Performance and Development Portfolio Holder stressed that the Council had a long history of maintaining Council Tax freezes for the benefit of the people of Carlisle. In his view, failure to take up the Government's offer would reflect badly upon the authority.

The Leader emphasised, for the avoidance of doubt, that the Executive proposed to work towards bringing forward budget proposals which included no increase in Council Tax, and would not depart from that stance.

The Governance and Resources Portfolio Holder reiterated the Executive's resolve to freeze Council Tax. He was aware of the concerns put forward in terms of the impact thereof on the 2013/14 budget and outlined some of the options available to address the position (e.g. Budget profiling). The Portfolio Holder considered rejection of Government support in freezing Council Tax to be ludicrous, and the Executive would not on behalf of the people of Carlisle advocate such a course of action.

(b) The Chairman of the Environment and Economy Overview and Scrutiny Panel presented the Minutes of the Panel meeting on 1 December 2011 commenting that the Panel was somewhat disappointed that there was little

scope for manoeuvre in terms of charges set nationally (e.g. Planning, Building Control and Dog Fouling). She commented upon the very visible issues of litter and dog fouling, expressing the view that increased charges to address concerns around those areas would constitute a 'win win' situation. Members had requested Portfolio Holders / Officers to continue to lobby central Government.

She outlined the Panel's deliberations with regard to car parking and the serious issues around on street parking. Members felt that the proposed allocation of the City Council's car parks into four categories would give greater flexibility and supported the proposed charges.

The Chairman further outlined the Panel's comments with regard to Parks and Green Spaces; Talkin Tarn and the Assembly Room, the detail of which was set out within the Minute Excerpt.

Referring to the issue of dog fouling / enforcement, the Environment and Housing Portfolio Holder believed that improved education may be the way forward, rather than increasing charges in those areas. The Assistant Director (Local Environment) was looking at how that could be taken forward in conjunction with schools, greater advertising, etc. It was important for the Council to take a hard stance with regard to dog fouling, particularly bearing in mind the possible health implications for children. He further believed that people using parks and green spaces for business use (e.g. Dog walking businesses) should contribute to the upkeep thereof. That would of course be dependant upon whether such use could be enforced. Further consideration required to be given to the proposed annual registration fee for swimmers at Talkin Tarn and the Assistant Director (Local Environment) was investigating the matter.

In summary, the Environment and Housing Portfolio Holder expressed his gratitude for the work undertaken by Overview and Scrutiny, particularly with regard to car parking.

In response, the Economic Development Portfolio Holder said that announcements would be made in due course as part of the Localism Bill, and it may be possible to lobby Government further to enable Local Authorities to set their own charges with regard to Development Control. She also reminded Members that a review of the Old Town Hall was currently taking place, the outcome of which was awaited.

The Leader indicated his agreement with the sentiments expressed by the Environment and Housing Portfolio Holder with regard to dog fouling, emphasising the importance of concentrating on education and the development of a better relationship with the public around awareness / responsibility.

(c) The Chairman of the Resources Overview and Scrutiny Panel referred the Executive to Minute ROSP.87/11 and the request that the Executive give consideration to retaining the Small Scale Community Projects Budget which

was extremely valued and appreciated in the community. Referring to the Investment Strategy (Minute ROSP.91/11) he added that the Panel had agreed a commitment to a workshop session, post the Morton sale, to better inform Members of the issues/options involved.

The Leader stated that the Small Scale Community Projects Budget constituted a valuable asset for Councillors to assist their constituents.

The Environment and Housing Portfolio Holder also valued that Budget. He noted that certain Members had not made use of their allocation and pled with them to do so for the benefit of people within their Wards.

The Governance and Resources Portfolio Holder agreed that there was mixed take up of the Small Scale Community Projects Budget across the Council. He found it to be very useful in the Longtown Ward and encouraged everyone to utilise that resource. Although the Portfolio Holder could not give an assurance that the Budget would be retained, he said that the matter would receive careful consideration as part of the overall Budget process.

He was also receptive to the idea of a workshop on the Investment Strategy to promote a wider understanding and would discuss the matter further with Overview and Scrutiny.

The Portfolio Holder apologised that it had not been possible for him to attend the Panel meeting on 6 December 2011. He did, however, wish to thank Members for their consideration of the draft Budget reports.

In conclusion, the Leader thanked Overview and Scrutiny Panel Members for their comments which would be taken on board by the Executive when considering and formulating its budget proposals for 2012/13.

**Summary of options rejected** None

## **DECISION**

That the Overview and Scrutiny Panels be thanked for their consideration of the draft Budget reports and their comments, as detailed within the Minutes submitted, taken into account as part of the Executive's deliberations on the 2012/13 budget.

### **Reasons for Decision**

The views of the Overview and Scrutiny Panels will be taken into account as part of the 2012/13 Budget process

**EX.166/11 DISABLED FACILITIES GRANTS (DFGs)**  
(Non-Key Decision)

**Portfolio** Environment and Housing

## **Subject Matter**

Pursuant to Minute COSP.87/11, consideration was given to a reference from the Community Overview and Scrutiny Panel on 24 November 2011 regarding the final report of the Disabled Facilities Grants Task and Finish Group. The Panel had resolved:

"1) That the Task and Finish Group and Overview and Scrutiny Officer be thanked for their input into the final report and the detailed recommendations.

2) That the final report of the Disabled Facilities Task and Finish Group be approved and referred to the Executive for a formal response to the recommendations."

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

The Chairman of the Disabled Facilities Grants Task and Finish Group was present at the meeting and expressed the hope that Executive Members had the opportunity to read the report. He explained that DFGs had a key role in helping people to stay independent in their own homes for as long as possible, and it was important that people could continue to exercise that choice by accessing support to make appropriate adaptations to their homes. The Chairman gave an overview of the work undertaken by the Task and Finish Group highlighting, in particular, financial / budgetary; demographic; funding allocations; and health aspects.

Although no single cause or solution had been identified, the Group had set down ten important recommendations and the Chairman outlined the reasons behind each recommendation in turn for the benefit of Executive Members.

The Chairman of the Community Overview and Scrutiny Panel thanked the Chairman for using his professional knowledge and bringing his informed mind to the work of the Task and Finish Group. She further expressed her thanks to the other Members involved.

The Chairman pointed out that lobbying had proved successful in the past in securing increased Government grant and that experience could again be drawn upon as Councils struggled to draw down resources. There was now an opportunity to really get health organisations on board in support of the work undertaken. She added that the information presented in the final report would be extremely useful and expressed the hope that the Council would commence discussions as soon as possible.

The Leader thanked the Community Overview and Scrutiny Panel and the Disabled Facilities Grants Task and Finish Group for what was a very good piece of work. Lobbying had proved to be successful in the past and the Council would continue to do so. A further response on the recommendations contained within the final report would be provided at the next Panel meeting.

The Environment and Housing Portfolio Holder thanked the Task and Finish Group for their excellent report, which was easy to understand and contained well rehearsed arguments. He emphasised the importance of liaising with interested parties and also planners and MPs.

In conclusion, the Portfolio Holder thanked all those involved, commenting that the Executive would bear the recommendations in mind as part of their budget considerations.

**Summary of options rejected** None

## **DECISION**

1. That the Executive had considered the final report of the Disabled Facilities Grants Task and Finish Group as attached to Report OS.33/11; and
2. That a further response to the recommendations contained within the final report would be provided at the next meeting of the Community Overview and Scrutiny Panel.

## **Reasons for Decision**

To respond to a reference from the Community Overview and Scrutiny Panel concerning Disabled Facilities Grants

## **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.167/11 TULLIE HOUSE BUSINESS PLAN AND LEASE ARRANGEMENTS**  
(Key Decision)

(Public and Press excluded by virtue of paragraphs 3 and 4)

**Portfolio** Performance and Development

## **Subject Matter**

Pursuant to Minute EX.162/11, the Assistant Director (Community Engagement) submitted private report CD.33/11 attaching the draft Tullie House Business Plan.



The Community Overview and Scrutiny Panel had, on 24 November 2011, considered and welcomed the submission of Report CD.26/11 on the matter.

A copy of the Minute Excerpt had been circulated.

The Performance and Development Portfolio Holder then moved the following recommendations:

1. That the Executive had considered the report and supported the proposed business plan;
2. That the Executive approved the core funding for 2012/13 and the commitment to funding for 2013/14 for recommendation to Council; and
3. That the Executive recommended an extension of the Lease arrangements from 25 years to 30 years to the City Council for approval.

**Summary of options rejected** None

## **DECISION**

That the Executive:

1. Had considered Report CD.33/11 and supported the proposed Tullie House Business Plan;
2. Approved the core funding for 2012/13 and the commitment to funding for 2013/14 for recommendation to Council; and
3. recommended an extension of the Lease arrangements from 25 years to 30 years to the City Council for approval.

## **Reasons for Decision**

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

### **EX.168/11 PROPOSED CHANGES TO SENIOR MANAGEMENT TEAM** (Key Decision)

(Public and Press excluded by virtue of paragraphs 1 and 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** Leader's

## **Subject Matter**

The Town Clerk and Chief Executive submitted private report CE.31/11 concerning the City Council's Senior Management Team. He outlined for Members details of the proposed changes, together with the implications thereof.

The Leader stated that the Executive supported the view taken by the Town Clerk and Chief Executive.

**Summary of options rejected** None

## **DECISION**

That the Executive:

1. Recommend to Council that it approves:
  - a. The deletion of the vacant Strategic Director post from the Council's Officer establishment;
  - b. The remaining Strategic Director post be re-titled Deputy Chief Executive;
  - c. The Assistant Director posts be re-titled "Director of" followed by the relevant title;
  - d. The Assistant Director (Governance) be delegated authority to make any consequential amendments to the Council's Constitution; and,
2. Request the Employment Panel meet as soon as possible and recommend to Council that the remaining Strategic Director, Mr Darren Crossley, be designated as Deputy Chief Executive in accordance with the Council's Constitution.

## **Reasons for Decision**

Implementation of these recommendations would make a significant contribution to the organisation's transformation savings and more clearly define the roles and responsibilities of the Senior Management Team

**EX.169/11 CARLISLE ENTERPRISE CENTRE**  
(Non-Key Decision)

(Public and Press excluded by virtue of paragraph 3)

**Portfolio** Economic Development

## **Subject Matter**

Pursuant to Minute EEOSP.79/11, consideration was given to a reference from the Environment and Economy Overview and Scrutiny Panel on 1 December 2011 regarding the final report of the Carlisle Enterprise Centre Task and Finish Group. The Panel had resolved:

"1. That the report of the Carlisle Enterprise Task and Finish Group be agreed by the Panel and referred to the Executive for a response."

Copies of the Minute Excerpt and Report OS.34/11 had been circulated.

The Chairman of the Enterprise Centre Task and Finish Group was in attendance at the meeting and expressed the hope that Executive Members had the opportunity to consider the final report. He outlined the work undertaken, together with the twelve recommendations put forward for Executive consideration.

The Chairman of the Environment and Economy Overview and Scrutiny Panel explained that the Panel's concerns about the Centre arose during their consideration of previous reports which highlighted performance and budgetary issues. She highlighted the request that full consultation be undertaken with all present tenants of the Enterprise Centre to determine what services should be provided; and that the Project Board clarify all roles and responsibilities with regard to the Centre, both Officer and Portfolio Holder. She thanked the Officers who had supported the work of the Task and Finish Group and, in particular, Ms Kerry Martin, Economic Development Officer, who was new to the authority and brought with her an unbiased approach.

Referring to the recommendations, the Chairman felt that more work required to be done before any final decisions could be made and, if the Panel or Task and Finish Group could be of assistance to the Executive, they would be happy to do so.

The Economic Development Portfolio Holder thanked the Chairman and Members of the Enterprise Centre Task and Finish Group for their work which had contributed to what was a very detailed and valuable report. The Project Board had met twice and was well on the way to achieving an understanding of the recommendations.

The Portfolio Holder gave an assurance that she would provide a full response to the Task Group's recommendations at the next meeting of the Environment and Economy Overview and Scrutiny Panel.

The Governance and Resources Portfolio Holder welcomed submission of the report, acknowledging the considerable amount of hard work which had gone into its preparation. He added that the Carlisle Enterprise Centre was well worthy of the Council's support.

In response to a concern detailed at section 6.13 of the final report, the Economic Development Portfolio Holder advised that the Project Board was aware and would follow up on the matter.

The Leader gave an assurance that the issue would come forward to Overview and Scrutiny as part of the ongoing Carlisle Enterprise Centre Review.

**Summary of options rejected** None

## **DECISION**

That the Executive had given consideration to the reference from the Environment and Economy Overview and Scrutiny Panel concerning the Carlisle Enterprise Centre; and would provide a full response to the Task Group's recommendations at the next meeting of the Environment and Economy Overview and Scrutiny Panel.

## **Reasons for Decision**

To respond to a reference from the Environment and Economy Overview and Scrutiny Panel concerning the Carlisle Enterprise Centre

(The meeting ended at 1.12 pm)