

## **EXECUTIVE**

**MONDAY 27 JUNE 2011 AT 1.03 PM**

### **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)  
  
Councillors Allison, Craig and Mrs Farmer attended as observers

### **WELCOME**

The Chairman welcomed all those present to the first meeting of the Executive in the 2011/12 Municipal Year.

### **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.

### **CALL-IN**

The Chairman reported that the Mayor had agreed that the following items should be exempt from call-in as call-in procedures would overlap the City Council Meeting on 19 July 2011 when the matters would be considered:

- Provisional General Fund Revenue Outturn 2010/11
- Provisional Capital Outturn 2010/11 and Revised Capital Programme 2011/12
- Treasury Management Outturn 2010/11
- Strategic Audit Plan and Audit Plan for 2011/12
- Certification of Claims and Returns – Annual Report 2009/10

## **MINUTES OF PREVIOUS MEETINGS**

The Minutes of the meetings of the Executive held on 14 February and 14 March 2011 were signed by the Chairman as true records of the meetings.

### **EX.060/11 PROVISIONAL GENERAL FUND REVENUE OUTTURN 2010/11**

(Key Decision)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor has agreed that call-in procedures should not be applied to this item)

**Portfolio** Governance and Resources

#### **Subject Matter**

The Assistant Director (Resources) submitted report RD.12/11 (Amended) on the outturn for the 2010/11 General Fund Revenue Budget. He informed Members that the outturn showed that the net underspend for Council services as at 31 March 2011, once committed expenditure totalling £1,758,700 was taken into account, was £245,697. He set out details of requests to carry forward £119,200 in respect of new items of expenditure which, if approved, would result in a final underspend to the Council in 2010/11 of £126,497.

Members' attention was drawn to the table at Section 2.1 of the report which showed that the Council's revised budget for 2010/11 was a total of £21,331,100. He summarised the expenditure for individual Directorates and provided an explanation of the major variances in those budgets. He also itemised the budget headings which had achieved savings and provided increased income.

The Assistant Director (Resources) reminded Members that the recession continued to lead to significant income shortfalls in Bereavement Services, Development Control, Parking, The Lanes and returns from investment, and some budgets had again been adjusted during 2010/11 to reflect revised 'post recession' income trends (Report RD.54/10 refers). He added that the Council had increased its bad debt provision in respect of sundry debtors and housing benefit overpayments, and that had been allocated directly to the services.

He also circulated details of the carry forward requests which had been submitted by Directorates and added that if Members were minded to approve the carry forward requests a recommendation would need to be submitted to the City Council. He added that, due to the level of underspend identified within the report, and if all carry forward requests were approved, approximately £0.127 million would be returned to the Projects Reserve. That would replenish the usable revenue balances by 31 March 2015 to the minimum required, however there would still be a projected shortfall against that minimum reserve from 2011/12 to 2013/14.

The Assistant Director (Resources) then commented on the efficiency savings and the Annual Efficiency Statement, and highlighted changes to the Efficiency Programme during 2010/11, which illustrated that the Council had exceeded the 10.3% efficiency target by 0.4% or £140,000 approximately which was a significant achievement during a period of continuous change throughout the organisation. Those results would be submitted to the DCLG in July as National Indicator 179.

The Resources Overview and Scrutiny Panel had on 16 June 2011 (Minute ROSP.38/11) considered the matter and resolved:

"That the Panel was concerned by the shortfall in income from the Lanes and referred the matter to the Environment and Economy Overview and Scrutiny Panel for their detailed consideration on whether it would be an appropriate subject for a joint Task and Finish Group."

A copy of the Minute Excerpt had been circulated.

The Chairman of the Resources Overview and Scrutiny Panel was present at the meeting, but had nothing further to add to the comments set out in the Minutes of the meeting.

The Governance and Resources Portfolio Holder indicated that he was quite comfortable with the level of underspend referred to in what had been a very difficult year financially speaking. Accordingly, he moved the recommendations set out in the Assistant Director's report.

**Summary of options rejected**    None

## **DECISION**

That the Executive:

- (1)    Noted the net underspend as at 31 March 2011 of £245,697 after committed expenditure totalling £1,758,700 (£991,500 to be met in 2011/12; £644,100 in 2012/13; and £123,100 in 2013/14) which had been approved by the Assistant Director (Resources) under delegated powers.

- (2) Endorsed the carry forward requests for new items of expenditure totalling £119,200 (noted as Category 'B' in Appendix B, of which £116,700 to be met in 2011/12 and £2,500 in 2012/13) and recommended that the City Council on 19 July 2011 approve those requests as set out in Report RD.12/11 (Amended).
- (3) Recommended that the City Council approve the transfer of the Job Evaluation Reserve into the Transformation Reserve, as detailed in paragraph 3.3 of the report.
- (4) Recommended 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 of the report.

### **Reasons for Decision**

To receive the Report on the General Fund Revenue Outturn and make recommendations to the City Council.

### **EX.061/11 PROVISIONAL CAPITAL OUTTURN 2010/11 AND REVISED CAPITAL PROGRAMME 2011/12**

(Key Decision)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor has agreed that call-in procedures should not be applied to this item)

**Portfolio** Governance and Resources

### **Subject Matter**

The Assistant Director (Resources) submitted report RD.11/11 (Amended) on the Provisional Outturn for the Council's Capital Budget, together with details of the revised Capital Programme for 2011/12. He informed Members that the Outturn showed that the net underspend for Council services as at 31 March 2011 once committed expenditure totalling £1,093,600 was taken into account was £464. He added that a request had been made for a carry forward for a new item of expenditure which would change the underspend to an overspend of £11,636.

He set out the position with regard to carry forward requests on the Capital Programme. He also identified for Members the resources which had been used to fund the 2010/11 Capital Programme and detailed the 5 year Capital Programme for the period 2011/12 to 2015/16. He reported that the programme for 2011/12 totalled £10,616,200 based upon the programme agreed by Council in February 2011 of £9,376,100; the commitments brought forward from 2010/11 of £1,073,600; and an additional budget of £166,500 approved by Council in April 2011 for Bousteads Grassing demolition works. Approval of the carry forward for the new item of expenditure (£12,100 for

Waste Minimisation) would increase the 2011/12 capital programme further to £10,628,300 and also increase the funding required from capital receipts.

The Assistant Director (Resources) commented that it had been recognised that the carry forwards from 2010/11 had increased the 2011/12 capital programme and a further review was recommended to ensure that the Council had the capacity to deliver that level of capital programme. To that end, the 2011/12 programme needed to be reviewed by Project Officers to ensure that schemes could be completed in line with both the projected budget and projected timescales. He advised that one further possibility was the setting up of specific earmarked reserves for schemes not yet started so that schemes did not sit in the Capital Programme and be reported as underspends at the year end.

In conclusion, the Assistant Director (Resources) outlined the proposed funding arrangements for the revised 2011/12 programme.

The Resources Overview and Scrutiny Panel had on 16 June 2011 (Minute RO SP.39/11) considered and welcomed report RD.11/11. A copy of the Minute Excerpt had been circulated.

The Chairman of the Resources Overview and Scrutiny Panel was in attendance at the meeting, but had nothing further to add.

The Governance and Resources Portfolio Holder was very pleased to note the very small net underspend as at 31 March 2011 which reflected the considerable amount of work undertaken in relation to the Capital Budget during the last financial year. He congratulated the Assistant Director (Resources) and his team for what was now a relevant budget and moved the recommendations set out in the report.

**Summary of options rejected** None

## **DECISION**

That the Executive:

- (1) Noted the net underspend as at 31 March 2011 of £464 which included committed expenditure to be met totalling £1,073,600 in 2011/12 and £20,000 in 2012/13, which had been approved under delegated powers by the Assistant Director (Resources).
- (2) Recommended that the City Council on 19 July 2011 approve the carry forward request of £12,100 for new items of expenditure.
- (3) Recommended that the City Council on 19 July 2011 approve the use of the Sheepmount Reserve in 2010/11 to fund expenditure on Sheepmount Drainage.

- (4) Noted the use of the Millennium Artefacts Provision to fund expenditure on the Millennium Gallery and the Energy Efficiency Advice Reserve to fund expenditure on Fuel Poverty in 2010/11.
- (5) Recommended that the City Council on 19 July 2011 approve the revised Capital Programme for 2011/12, as detailed in Appendix B to Report RD.11/11 (Amended).

### **Reasons for Decision**

To receive the report on the Capital Outturn for 2010/11 and make recommendations to the City Council on the 2011/12 Capital Programme.

### **EX.062/11 TREASURY MANAGEMENT OUTTURN 2010/11** (Key Decision)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor has agreed that call-in procedures should not be applied to this item)

**Portfolio** Governance and Resources

### **Subject Matter**

The Assistant Director (Resources) submitted report RD.13/11 providing the annual report on Treasury Management, as required under both the Financial Procedure Rules and the CIPFA Code of Practice on Treasury Management. He also submitted the regular report on Treasury Transactions for the period 1 January 2011 to 31 March 2011. Members' attention was further drawn to developments in the Money Markets over the previous twelve months and their effect on the Council's investments, together with the various performance statistics included within the report. He pointed out that the Bank of New York was a new addition to the list detailed at Appendix B2.

The Assistant Director (Resources) reminded Members that the City Council had only one substantial long term loan (the £15m stock issue) which was likely to remain on the books for some time yet as the cost of making a premature repayment would be very prohibitive in the present climate, particularly with interest rates being at such depressed levels. There were no plans to undertake any prudential or other borrowing during the current financial year. The focus of the authority's treasury management activities remained therefore very much on the investment aspect of the function.

He added that although investment conditions were, in one sense, as exceptional in 2010/11 as had been the case during the previous year, they were very different as investors coped with some of the lowest interest rates ever seen in the world economy. The effect upon the City Council could be gauged by the fact that investment income in 2010/11 was over £0.4 m lower than in the previous year. Furthermore, the budget for 2011/12 anticipated a

reduction of nearly 50% and it was difficult to see when that trend was likely to be reversed. The reduction in investment income posed a very significant challenge for the City Council.

In conclusion, the Assistant Director (Resources) stated that, although the outlook for interest rates in the UK remained uncertain, there was a general expectation that rates would start to rise during the second half of the year.

The Resources Overview and Scrutiny Panel had on 16 June 2011 (Minute ROSP.40/11) considered and noted the report. A copy of the Minute Excerpt had been circulated.

The Chairman of the Resources Overview and Scrutiny Panel referred the Executive to Appendix A2 and, in particular, the average return on investment of 1.53% in the year. He asked what further comment could be made on that issue.

In response the Assistant Director (Resources) advised that the average bank base rate was 0.50% and, although there was no expectation that that would increase, the Council had beaten the market.

The Performance and Development Portfolio Holder referred to pages 8 and 10 of the report, pointing out that the City Council had not yet repaid a penny on the £15 m stock issue.

In conclusion, the Governance and Resources Portfolio Holder expressed the view that the Treasury Management function continued to be well managed in this local authority.

**Summary of options rejected**    None

## **DECISION**

That Report RD.13/11 providing the Annual Report on Treasury Management be received and recommended to the City Council for approval.

## **Reasons for Decision**

To receive the annual report on Treasury Management.

**EX.063/11    PROVISIONAL OUTTURN POSITION 2010/11 FOR COUNCIL TAX AND NATIONAL NON DOMESTIC RATES**  
(Key Decision)

**Portfolio**    Governance and Resources

## **Subject Matter**

The Assistant Director (Resources) submitted report RD.16/11 setting out the 2010/11 provisional outturn and performance position for Council Tax and National Non Domestic Rates.

He informed Members that the estimated outturn of 98.68% suggested that overall liability raised and Council Tax collected would again exceed the budgeted projections of 98.5% (if the collection pattern for recovering 2010/11 arrears followed that of previous years). The impact of increased collection performance was an overall surplus on collection fund of £327,959, the City Council's share of the surplus being £43,302.

The Assistant Director (Resources) added that the Council had maintained collection performance so that for the second year running Carlisle was in the 3rd quartile when compared to districts nationally. The Council would never be in a position to move into the higher collection quartiles for the reasons set out at Section 3.1 of his report.

He added that year-end arrears of £736,159 equating to 1.9% of the 'in year' debit collectable were down on the 2009/10 figure of £828,527 (2.9%). Most Councils had reported reduced collection rates in recent years, partly due to the recession and partly because of the introduction of increased empty rates liability from 1 April 2008. Until the Government released national collection rate performance statistics the Council could not determine whether the 0.2% improvement in collection performance mirrored the position nationally. It should, however, be noted that as the Council operated as a collection agency on behalf of the Government in collecting and recovering NNDR the increased collection performance had no financial impact on the Council.

The Resources Overview and Scrutiny Panel had on 16 June 2011 (Minute ROSP.41/11) welcomed Report RD.16/11 and noted the improved position with regard to the collection fund.

A copy of the Minute Excerpt had been circulated.

The Governance and Resources Portfolio Holder referred to Section 3.1(ii) of the report, emphasising that the Council followed a robust anti-poverty strategy which allowed residents in financial difficulties to spread their payments via special weekly or fortnightly instalments. Whilst that good practice had affected in-year collection rates (due to payments being spread sometimes over several years) in the past it had enabled the Council to collect over 99% of Council Tax demanded with write-off trends being under 0.3%. Accordingly, he moved the recommendation as detailed in the report.

**Summary of options rejected**    None

## **DECISION**

That the provisional outturn position at 31 March 2011 for Council Tax and National Non Domestic Rates be noted.

### **Reasons for Decision**

To advise the Executive of Council Tax and Business Rates Collection Performance

**EX.064/11 ELECTED MEMBERS' ALLOWANCES – PROVISIONAL OUTTURN FOR 2010/11**  
(Key Decision)

**Portfolio** Governance and Resources

### **Subject Matter**

The Assistant Director (Resources) submitted report RD.15/11 setting out the amount of allowances paid to Members as part of the Elected Members' Allowances Scheme for 2010/11. He informed Members that £358,058 had been paid in allowances to individual Members which represented an underspend of £12,242. There was no recommendation at this stage to review the budget for Members' Allowances. The position would, however, continue to be closely monitored during 2011/12 as part of the usual budget monitoring process.

The Resources Overview and Scrutiny Panel had on 16 June 2011 (Minute ROSP.42/11) welcomed the submission of report RD.15/11. A copy of the Minute Excerpt had been circulated.

The Governance and Resources Portfolio Holder then moved the report.

**Summary of options rejected** None

## **DECISION**

That Report RD.15/11 be received and the overall underspend of £12,242 on Elected Members' Allowances for 2010/11 be noted.

### **Reasons for Decision**

To receive details of the 2010/11 Provisional Outturn in respect of Members' Allowances.

**EX.065/11 CORE STRATEGY ISSUES AND OPTIONS PAPER**  
(Key Decision)

**Portfolio** Economic Development

## **Subject Matter**

The Assistant Director (Economic Development) submitted report ED.20/11 setting out the draft Core Strategy Issues and Options Paper which was scheduled for public consultation for a period of six weeks commencing on 19 September 2011. She reminded Members that the City Council had on 11 January 2011 approved for public consultation the Core Strategy Key Issues Paper, as attached to Report ED.45/11. The consultation undertaken was detailed within her current report.

The Assistant Director (Economic Development) explained that Carlisle's Issues and Options Paper set out what kind of place the area would be in the future (the spatial vision for the District), together with a wide range of issues that the Core Strategy needed to cover. In order to ascertain the best way to effectively address those issues the document highlighted a range of spatial planning options which could be taken forward in the future. She added that feedback from the consultation already undertaken had helped to refine the issues and inform the range of options presented in the Core Strategy Issues and Options Paper appended to her report.

Preparation of the Core Strategy consisted of a number of different stages, the next stage (following consultation on the Issues and Options) being preparation of the Preferred Options to reflect the evolving evidence base and the consultation responses. That would be prepared in tandem with the sustainability appraisal.

The Economic Development Portfolio Holder considered the questions to be very well thought out and she looked forward to receipt of the public responses in respect thereof. She added that the report would be available for consideration by the Environment and Economy Overview and Scrutiny Panel and expressed the hope that the matter would be progressed as soon as possible.

**Summary of options rejected**    None

## **DECISION**

1. That the Executive had considered the Core Strategy Issues and Options Paper, appended to Report ED.20/11, and made the paper available for consideration by the Environment and Economy Overview and Scrutiny Panel.
2. That, subject to any additional information arising from the Scrutiny Panel, the matter be reported back to the Executive for referral to Council for approval.

## **Reasons for Decision**

To progress work on the Core Strategy by involving the public in identifying the Key Issues for the next 20 years that may affect Carlisle in preparing for developing the options for dealing with them

### **EX.066/11 FOOD LAW ENFORCEMENT SERVICE PLAN** (Key Decision)

**Portfolio** Environment and Housing

#### **Subject Matter**

The Environmental Health Manager submitted report LE.10/11 providing details of the Food Law Enforcement Plan covering the period 1 April 2011 to 31 March 2012. He explained that the Plan linked to the key priority actions of the Council's Corporate Plan and also sought to direct resources into achieving the priority outcomes for regulatory services as detailed in the Local Better Regulation Office's consultations document "Priority Regulatory Outcomes - A New Approach to Refreshing the National Enforcement Priorities for Local Authority Regulatory Services" (February 2011). The Plan sat within the full Environmental Health Service Plan which included the General Plan, the Health and Safety Plan and the Environmental Protection Plan.

In improving food standards the Environmental Health Service was contributing towards ensuring a safe, healthy and sustainable food chain for the benefit of consumers. Service Plans were an important part of the process to ensure that national priorities and standards were addressed and delivered locally.

The Environmental Health Manager informed Members that, although the Food Standards Agency's Food Law Codes of Practice detailed national food policy, it did afford local authorities an element of flexibility over how to deliver the national food controls. The Plan set out how and at what level official food controls would be provided in accordance with the Codes of Practice. He added that the Food Law Code of Practice recommended that food service plans were approved at the relevant level established for the local authority with a view to ensuring local transparency and accountability, and to show the Service's contribution to the authority's Corporate Plan.

In conclusion he referred Members to the recommendations set out in the report, clarifying that the Community Overview and Scrutiny Panel was scheduled to consider the matter at their next meeting on 14 July 2011.

The Performance and Development Portfolio Holder questioned whether the National Food Hygiene Rating System would replace the excellent "Scores on the Doors" Scheme and, if so, expressed the hope that standards would not decline as a result of such a move.

In response, the Environmental Health Manager explained that the Food Standards Agency was moving towards a five number rating system. Grant funding had been obtained which would enable the change to take place in 2012.

The Environment and Housing Portfolio Holder commented upon the importance of educating people on the new system as that came on line. He then moved the Officer's recommendation.

**Summary of options rejected**    None

## **DECISION**

That the Executive supported the key actions of the Environmental Health Service's Food Law Enforcement Plan and the General Plan 2011 to 2012 and, in line with the Council's Policy Framework, made the report available for consideration by the Community Overview and Scrutiny Panel.

## **Reasons for Decision**

The recommended key actions had been identified following consultation and reflected the resources available to the Environmental Health Service in the financial year 2011 to 2012.

## **EX.067/11    RESPONSE TO EDEN DISTRICT COUNCIL'S INVITATION TO COLLABORATE** (Key Decision)

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

**Portfolio**    Cross-cutting

## **Subject Matter**

The Leader reported the receipt of a letter dated 20 June 2011 from Eden District Council stating that the Council had, at a meeting held on 16 June 2011, passed the following resolution:

"In light of Carlisle City Council having a vacancy for a Chief Executive in September, the Council formally invites Carlisle City Council to share a Chief Executive and a joint appointment be made and the Leader to report to the next meeting of the Council on the matter."

The City Council was therefore invited to give consideration to the above invitation in order that both Councils may take the opportunity to make the savings which would come from such a joint appointment which in turn may then lead to the sharing of a joint Management Team, thereby leading to further financial savings.

Copies of the letter and an extract from the Minutes of Eden District Council on the matter were circulated.

The Leader reported that, having considered the invitation, the Executive's response was:

The Executive thanks Eden District Council for its offer to consider jointly appointing a Chief Executive.

It is the Executive's opinion that the offer does not go far enough on its own and would not, in our opinion, deliver the amount of savings to make it worthwhile or achieve the amount of savings both Councils require.

The Executive would be interested in a model which would provide the right balance between making the most of the opportunities for collaboration that Eden District Council are offering, which also ensures that Carlisle City Council can continue to build on its impressive track record of improvement and deliver its own challenging transformation programme. The discussions should also include further co-operation in procurement and delivery of services.

**Summary of options rejected**    None

## **DECISION**

The Executive thanks Eden District Council for its offer to consider jointly appointing a Chief Executive.

It is the Executive's opinion that the offer does not go far enough on its own and would not, in our opinion, deliver the amount of savings to make it worthwhile or achieve the amount of savings both Councils require.

The Executive would be interested in a model which would provide the right balance between making the most of the opportunities for collaboration that Eden District Council are offering, which also ensures that Carlisle City Council can continue to build on its impressive track record of improvement and deliver its own challenging transformation programme. The discussions should also include further co-operation in procurement and delivery of services.

## **Reasons for Decision**

To respond to Eden District Council's invitation to collaborate.

**EX.068/11 FORWARD PLAN**  
(Non Key Decision)

**Portfolio** Cross-Cutting

**Subject Matter**

The Forward Plan of Key Decisions for the period 1 July 2011 to 31 October 2011 was submitted.

Members noted that the Assistant Director (Local Environment) had been scheduled to report on the following matters, which were deferred for the reasons stated:

Cumbria Strategic Waste Partnership's 'Enhanced Partnership Working Project - Conclusions of Stage 1' (KD.18/11) - the Enhanced Partnership Working Project Board was due to meet on 22 June 2011 and it was not therefore possible to conclude Stage 1 in time of this meeting of the Executive.

Sustainable Energy Strategy (KD.020/11) - in order that the report may include a full business case following detailed site work being undertaken in June 2011.

Parking Connect - Options for Parking Enforcement in Carlisle and Potentially Cumbria (KD.015/11) - pending the receipt of information from Cumbria County Council.

**Summary of options rejected** None

**DECISION**

That the Forward Plan of Key Decisions for the period 1 July 2011 to 31 October 2011 be noted.

**Reasons for Decision**

Not applicable.

**EX.069/11 SCHEDULE OF DECISIONS TAKEN BY PORTFOLIO  
HOLDERS**  
(Non Key Decision)

**Portfolio** Leader

**Subject Matter**

Details of a decision taken by the Leader, in consultation with Group Leaders, under delegated powers were submitted.

**Summary of options rejected**    None

**DECISION**

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

**Reasons for Decision**

Not applicable.

**EX.070/11    SCHEDULE OF DECISIONS TAKEN BY OFFICERS**  
(Non Key Decision)

**Portfolio**    Performance and Development / Environment and Housing

**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.071/11    REFERENCE FROM THE ENVIRONMENT AND ECONOMY  
OVERVIEW AND SCRUTINY PANEL – CARLISLE TOURISM  
PARTNERSHIP**  
(Non Key Decision)

**Portfolio**    Economic Development

**Subject Matter**

Pursuant to Minute EEOSP.26/11, consideration was given to a reference from the Environment and Economy Overview and Scrutiny Panel setting out the Panel's comments following their six monthly review of the Carlisle Tourism Partnership Action Plan. The Panel was concerned about funding for the Old Town Hall initiative and urged the Executive to give its full support when looking at capital projects and funding allocations.

A copy of the Minute Excerpt had been circulated.

The Chairman of the Environment and Economy Overview and Scrutiny Panel reported that the Panel was concerned that, following the departure of the Director of the Carlisle Tourism Partnership, a drop in momentum may occur. The Director had however reassured Panel Members that a sound Team had been established which would be able to progress the current initiatives. The Panel was further concerned at the withdrawal of funding in the area of tourism and hoped that if a new City Centre Partnership was created it may prove to be a source of funding in the future. She added that the Panel was impressed with the way the Tourism Partnership had progressed over the past year.

The Chairman referred to a recurring theme under the City Centre Partnership initiative, namely the issue of inadequate signage in the City Centre, including links to car parks. In addition, the lack of communication between the various partners meant that people were not aware of events taking place in the City Centre. Action needed to be taken to address that issue.

In response, the Economic Development Portfolio Holder thanked the Chairman for the Panel's continued support and interest in the Carlisle Tourism Partnership. She explained that whilst external funding had been withdrawn every effort would be made to pursue avenues for funding and the delivery of tourism in the area. The Portfolio Holder had confidence in the ability of the Council's Tourism Team. The issues of signage and funding for the Old Town Hall initiative would continue to be debated once the new Partnership was up and running.

The Performance and Development Portfolio Holder shared the concerns expressed with regard to signage, especially for visitors to the City. He suggested that the Environment and Economy Overview and Scrutiny Panel may wish to give more detailed consideration to the matter.

**Summary of options rejected**    None

## **DECISION**

- (1) That the reference from the Environment and Economy Overview and Scrutiny Panel be received.
- (2) That, in the light of the concerns expressed, the Executive suggested that the Panel may wish to give more detailed consideration to the issue of signage in car parks and around the City Centre.

## **Reasons for Decision**

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

**EX.072/11 REFERENCE FROM THE ENVIRONMENT AND ECONOMY  
OVERVIEW AND SCRUTINY PANEL – CONNECT 2  
CYCLEWAY**

(Non Key Decision)

**Portfolio** Economic Development

**Subject Matter**

Pursuant to Minute EEOSP.27/11, consideration was given to a reference from the Environment and Economy Overview and Scrutiny Panel following their consideration of a report of the Assistant Director (Local Environment) (LE.07/11) concerning the Connect 2 Cycleway. A copy of the Minute Extract had been circulated.

The Chairman of the Environment and Economy Overview and Scrutiny Panel was present at the meeting and outlined the background to the Panel's consideration of the matter. Panel Members were concerned that Sustrans had withdrawn funding and that no appeal process or established criteria regarding changed funding arrangements were in place.

The Chairman reported that the Panel was very happy with the responses provided by the Portfolio Holder and Assistant Director (Local Environment). She referred to negative Press coverage of the matter, adding that the Panel was supportive of the Executive's decision to write to the Big Lottery explaining the Council's position.

The Environment and Housing Portfolio Holder extended thanks to both the Chairman and Members of the Environment and Economy Overview and Scrutiny Panel for their concern and support, which had been of assistance to the Assistant Director and himself. He added that, with the exception of the new bridge over the River Eden, the remainder of the work would be done. It would, however, take longer to complete due to the withdrawal of Sustrans' support.

**Summary of options rejected** None

**DECISION**

That the reference from the Environment and Economy Overview and Scrutiny Panel be received.

**Reasons for Decision**

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

**EX.073/11    JOINT MANAGEMENT TEAM MINUTES**  
(Non Key Decision)

**Portfolio**     Various

**Subject Matter**

The Minutes of the meetings of the Joint Management Team held on 17 and 31 March; and 14 April 2011 were submitted for information.

**Summary of options rejected**    None

**DECISION**

That the Minutes of the meetings of the Joint Management Team held on 17 and 31 March; and 14 April 2011, attached as Appendix C, be received.

**Reasons for Decision**

Not applicable.

**EX.074/11    CUMBRIA LEADERSHIP BOARD**  
(Non Key Decision)

**Portfolio**     Cross-Cutting

**Subject Matter**

The Minutes of the meeting of the Cumbria Leadership Board held on 18 March 2011 were submitted for information.

**Summary of options rejected**    None

**DECISION**

That the Minutes of the meeting of the Cumbria Leadership Board held on 18 March 2011 be received.

**Reasons for Decision**

Not applicable.

**EX.075/11    MARKET MANAGEMENT GROUP**  
(Non Key Decision)

**Portfolio**     Economic Development

## **Subject Matter**

The Minutes of the meeting of the Market Management Group held on 20 April 2011 were submitted for information.

**Summary of options rejected**    None

## **DECISION**

That the Minutes of the meeting of the Market Management Group held on 20 April 2011, attached as Appendix D, be received.

## **Reasons for Decision**

Not applicable.

## **EX.076/11    REPRESENTATIVES ON OUTSIDE BODIES** (Non Key Decision)

**Portfolio**    Various

## **Subject Matter**

The Assistant Director (Governance) submitted report GD.25/11 seeking the nomination of Members to serve on various outside organisations.

The Leader then moved nominations on behalf of the Executive.

**Summary of options rejected**    None

## **DECISION**

That the City Council's representatives on the following outside bodies be as indicated:

1. Action with Communities in Cumbria  
Councillor Mrs Bowman

Belah Community Centre Management Committee  
Councillors Ellis, Morton and Mrs Vasey

Botcherby Community Centre Management Committee  
Councillors Betton, Boaden and Scarborough

Brampton Community Association General Committee  
Councillor Layden

Carlisle and District Citizens' Advice Bureau Trustee Management Committee  
Councillors Earp and Boaden

Carlisle and Eden Crime and Disorder Reduction Partnership Leadership Group

Councillor Mrs Geddes (Councillor Bloxham as substitute)

Carlisle Educational Charity

Councillors Hendry, Mrs Mallinson, Tootle (all 4 year term of office expiring August 2012) and Bainbridge (4 year term of office expiring June 2014) be re-nominated

Carlisle Leisure Limited Board

Councillors Bloxham and Mitchelson

Carlisle Police Community Liaison

Councillors Mrs Prest and Layden (Councillors Mrs Clarke and Mrs Rutherford as substitutes)

Carlisle Sports Council

Councillor Layden

Conservation Area Advisory Committee

Councillor Mrs Luckley

Cumbria Health and Wellbeing Committee

Councillor Mrs Parsons (Councillor Mrs Prest as substitute)

(NOTE: This is a joint Scrutiny Committee comprising representatives of the six District Councils in Cumbria and Cumbria County Council. The terms of reference require that Members should be serving full Members of Overview and Scrutiny Committees.)

Cumbria Law Centre

Councillor Mrs Geddes

Cumbria Playing Fields Association Executive Committee

Councillor Weedall

Cumbria Leadership Board (was Cumbria Strategic Partnership Executive Board)

Councillor Mitchelson (Councillor J Mallinson as substitute)

Cumbria Strategic Waste Partnership

Councillor Bloxham (Councillor Nedved as substitute)

Currock Community Centre Management Committee

Councillors Mrs Bradley, Glover and Harid.

Denton Holme Community Centre Management Committee

Councillors Atkinson, McDevitt and Mrs Southward

Downagate Community Centre Management Committee  
Councillor Mrs Parsons

Friends of Tullie House Museum and Art Gallery  
Councillor Mrs Mallinson

Greystone Community Association  
Councillor Ms Quilter

Hadrian's Wall World Heritage Site Management Plan Committee  
Councillor Bainbridge

Harraby Community Centre Management Committee  
Councillors Weber, Weedall and Mrs Rutherford

Local Authority World Heritage Forum  
Councillor Bainbridge

Local Government Association General Assembly  
Councillor Mitchelson (Councillor J Mallinson as substitute)

Local Government Association Rural Commission  
Councillors Bainbridge and Mrs Bowman

(NOTE: The Council is entitled to nominate two representatives, either 2 Members or one Member and one Officer with the first named elected Member being allocated the Council's vote on the Commission)

Local Government Association Urban Commission  
Councillors Ellis and Mrs Luckley

(NOTE: The Council is entitled to nominate two representatives, either 2 Members or one Member and one Officer with the first named elected Member being allocated the Council's vote on the Commission)

Local Government Information Unit  
Councillor J Mallinson

Longtown Community Centre Management Committee  
Councillors Bloxham, J Mallinson and Mrs Prest

Mary Hannah Almshouses Charity  
Councillors Ellis and Councillor Mrs Vasey (term of office expires February 2012) and Councillor Morton (term of office expires June 2013)

Morton Community Centre Management Committee  
Councillors Bell, Mrs Farmer and Stothard

National Association of Councillors English Region  
Councillor Mrs Geddes

National Association of Councillors  
Councillor Mrs Geddes

North Pennines Area of Outstanding Natural Beauty Partnership  
Councillor Collier

North West Local Authorities Employers Organisation  
Councillor Ellis (Councillor J Mallinson as substitute)

North West Regional Housing Forum  
Councillor Bloxham

PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee (was National Parking Adjudication Service Joint Committee)  
Councillor Bloxham (Councillor Morton as substitute)

Petteril Bank Community Centre Management Committee  
Councillors Cape, Mrs Warwick and Wilson

Riverside Carlisle  
Councillor Hendry, Councillor Layden, Councillor Mrs E Mallinson and Mr Dodd.

(NOTE: There is no set term of office for Council Board Members. Appointments or removals have to be made in writing by the City Council to the Secretary of the Carlisle Housing Association Board)

Settle Carlisle Railway Development Company  
Councillor Earp

Solway Coast AONB Joint Advisory Committee  
Councillor Collier

Solway Firth Partnership Board  
Councillor Mrs Parsons

Stanwix Community Association  
Councillor Nedved

Tullie House Museum and Art Gallery Trust Board  
Councillors Ellis and Hendry (appointed to the Shadow Board and thereafter on the said organisation's Trust Board)

West Coast Rail 250  
Councillor J Mallinson

Yewdale Community Centre Management Committee  
Councillors Hendry, Mrs Robson and Bowditch

The District Councils' Network Assembly.  
Councillor Mitchelson (Councillor J Mallinson as substitute)

(NOTE: the DCN's constitution states that the representative is usually the Leader of the Council or someone in an equivalent position).

Cumbria Equality Champions' Group.  
Councillor Mrs Geddes

(NOTE: the primary aim of the Group is to ensure that County and District Councils collaborate on understanding Equality and make sure that elected members have peer support in meeting the Public Sector Equality Duty).

2. That it be noted that the following organisations to which appointments were made last year no longer met and/or no further representation was required:

Anchorage Centre Management Committee;

Carlisle and Eden Drug and Alcohol Reference Group;

Cumbria Strategic Partnership; and

Elizabeth Fell Memorial Trust

### **Reasons for Decision**

To make appointments to Outside Bodies for 2011/12.

### **EX.077/11 STRATEGIC AUDIT PLAN AND AUDIT PLAN FOR 2011/12** (Non Key Decision)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor has agreed that call-in procedures should not be applied to this item)

**Portfolio** Governance and Resources

### **Subject Matter**

The Assistant Director (Resources) submitted report RD.18/11 providing details of the updated Strategic Audit Plan and the proposed Audit Plan for 2011/12. The report had initially been reviewed by the Audit Committee on 11 April 2011 and a copy of Minute Excerpt AUC.26/11 had been circulated.

Members were requested to note the Risk Assessment Model attached as Appendix A; consider the revised Audit Risk Assessment (Strategic Risk Based Plan), attached at Appendix B prior to submission to Council for approval; and note the Internal Audit Plan for 2011/12 attached as Appendix C.

The Governance and Resources Portfolio Holder then moved the recommendations as set out above.

**Summary of options rejected**    None

## **DECISION**

That the Executive:

- (1)    Noted the Risk Assessment Model attached as Appendix A to Report RD.18/11.
- (2)    Had considered and recommended the revised Audit Risk Assessment (Strategic Risk Based Plan), attached at Appendix B to the report, to the City Council for approval.
- (3)    Noted the Internal Audit Plan for 2011/12, attached at Appendix C to the report.

## **Reasons for Decision**

To consider the Strategic Audit Plan and make appropriate comments to the City Council.

## **EX.078/11    CERTIFICATION OF CLAIMS AND RETURNS – ANNUAL REPORT** (Non Key Decision)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor has agreed that call-in procedures should not be applied to this item)

**Portfolio**    Governance and Resources

## **Subject Matter**

There was submitted the Audit Commission's Annual Report on the Certification of Claims and Returns for 2009/10. The report summarised the findings from the certification of 2009/10 claims; included details of the messages arising from the Audit Commission's assessment of the City Council's arrangements for preparing claims and returns; and information on claims that the Audit Commission had amended or qualified.

The Audit Committee had on 11 April 2011 received the report (a copy of Minute Excerpt AUC.21/11 had also been circulated).

The Governance and Resources Portfolio Holder moved the report.

**Summary of options rejected**    None

## **DECISION**

That the Annual Report on the Certification of Claims and Returns for 2009/10 be received and endorsed.

## **Reasons for Decision**

To consider the Audit Commission's Annual Report on the Certification of Claims and Returns for 2009/10.

## **EX.079/11    CORPORATE PLAN PERFORMANCE REPORT** (Non Key Decision)

**Portfolio**    Performance and Development

## **Subject Matter**

The Policy and Communications Manager submitted report PPP.10/11 outlining the review, development and summary of changes to the City Council's Corporate Plan. He explained that the Assistant Directors would, at the August 2011 meeting of the Executive, provide a more detailed update of the first quarter's progress on their key actions. As previously agreed those reports would include actions, risks and performance indicators.

The Policy and Communications Manager then drew Members' attention to the summary of changes to the 2011/12 Plan which included one new Local Environment action, one new Economy action (with others merged together, split into different actions or deleted), and a revised performance framework section to reflect the development of actions, risk and performance indicators to measure the performance of key actions.

He also highlighted the changes that had taken place throughout the year and gave an update on the Transformation Programme. In conclusion, he set out details of some good news stories and achievements.

The report had been considered by the Community; Resources and Environment and Economy Overview and Scrutiny Panels at meetings held on 9, 16 and 23 June 2011 respectively. Extracts from the Minutes of those meetings had been circulated (COSP.44/11, ROSP.37/11 and EEOSP.39/11 (draft)).

The Chairman of the Community Overview and Scrutiny Panel commented that the Panel had noted the report and looked forward to the new 1st Quarter Monitoring Report in September 2011. She made reference to Overview and Scrutiny's role in examining the Council's performance with regard to its key objectives and targets, expressing the hope that detailed analysis on work undertaken / planned would be forthcoming.

The Chairman of the Resources Overview and Scrutiny Panel said that the Panel had noted the report and also looked forward to the new 1st Quarter monitoring report. He added that Members were concerned that the Regional Growth Fund Bid round 1 had been unsuccessful for the reasons outlined. The Panel felt that the Council needed to inform the Government Department and relevant ministers that regions, such as Cumbria who needed the investment, were at a disadvantage due to the criteria required.

In response, the Leader suggested that the Strategic Director or Assistant Director (Economic Development) attend the next meeting of the Resources Overview and Scrutiny Panel to provide a full explanation on the Regional Growth Fund. Panel Members could then consider what if anything needed to be done.

The Chairman of the Environment and Economy Overview and Scrutiny Panel had nothing further to add to the comments detailed within draft Minute Excerpt EEOSP.39/11.

Referring to the Heritage Lottery Fund, the Economic Development Portfolio Holder stated that the bid had been compiled by a highly qualified Officer. Good feedback had been received, details of which could be provided. The Council would continue to explore avenues for funding wherever possible.

The Performance and Development Portfolio Holder paid tribute to the work undertaken by the Policy and Communications Team. A more detailed update on the first quarter's progress with regard to key actions would be available in August.

**Summary of options rejected**    None

## **DECISION**

That the Executive had considered the end of year performance of the City Council presented in Report PPP.10/11 with a view to seeking continuous improvement in how the Council delivered its priorities.

## **Reasons for Decision**

The purpose of the report is to highlight the performance of the City Council in 2010/11, acknowledge the key successes of the year and identify areas for improvement.

**EX.080/11 THE WEST CUMBRIA MANAGING RADIOACTIVE WASTE  
SAFELY PARTNERSHIP**  
(Non Key Decision)

**Portfolio** Environment and Housing; Economic Development

**Subject Matter**

The Deputy Chief Executive submitted report CE.16/11 concerning the work of the West Cumbria Managing Radioactive Waste Safely (MRWS) Partnership. He outlined the background to the matter, explaining that the Government had in 2008 published a White Paper called 'Managing Radioactive Waste Safely: A Framework for Geological Disposal' which set out the approach they were taking to identify and develop an engineered, underground site for disposal of this country's activity radioactive waste. The site would be called a Geological Disposal Facility.

The White Paper contained three important key messages, namely:

- The Government did not want to force the facility upon a community; it was looking for volunteers;
- Talking to Government about having a site did not commit a community to anything; and
- It would be a number of years before any construction started, and at any time before then communities had a right to withdraw from the process.

The Deputy Chief Executive informed Members that, in response to the White Paper, Allerdale Borough Council, Copeland Borough Council and the County Council had expressed interest and commenced discussions with Government around identifying a site. The West Cumbria MRWS Partnership had subsequently been established, with the ultimate aim of producing a report for consideration by Allerdale, Copeland and the County Council when they each made a decision on whether to participate in the next steps of the process. He added that an invitation was extended to Carlisle City Council to attend the MRWS Partnership and he had been attending on behalf of the Council since 10 December 2010.

The MRWS Partnership was about to reach an important juncture in its work, and a draft of their report to the decision making bodies would go out for public consultation before being finalised and presented to those bodies. The meetings of the MRWS scheduled for 23 June, 7 July and 18 August 2011 were 'assessment meetings' when the Partnership would take a view on whether the criteria which they had defined to inform a decision to participate (detailed at Appendix 1) had been met.

The Deputy Chief Executive considered it appropriate that the relevant Portfolio Holders attended those meetings (or at least the final assessment meeting which would now take place in September 2011) to ensure that they were content with the view taken by the City Council at those meetings. He emphasised that the view to be taken was not one of support or otherwise for the establishment of a facility, but a view on whether the pieces of work identified to meet the criteria set out at Appendix 1 had been satisfactorily completed - thus signing off the draft report for public consultation.

Further work would be done to finalise the MRWS Partnership's report to the decision making bodies following the public consultation exercise, and it was anticipated that they would be in a position to make a decision to participate in the early part of 2012.

The Economic Development Portfolio Holder welcomed the opportunity to take part in the consultation. She looked forward to attending the meeting in September and learning more on the subject.

**Summary of options rejected**    None

## **DECISION**

1. That the Executive noted the work of the West Cumbria Managing Radioactive Waste Safely (MRWS) Partnership and how that would help Allerdale and Copeland Borough Councils; and Cumbria County Council decide on whether to participate.
2. That the Portfolio Holders for Environment and Housing; and Economic Development be authorised to attend the meeting of the MRWS Partnership in September 2011 and take a view on behalf of Carlisle City Council as to the satisfactory completion of the work programme described in Report CE.16/11.

## **Reasons for Decision**

It is appropriate that the relevant Portfolio Holders for the City Council attend the MRWS Partnership meeting to take a view on behalf of the City Council as to whether the work programme has been satisfactorily achieved.

## **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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

**EX.081/11 LAND AND PROPERTY TRANSACTIONS – ASSET REVIEW DISPOSAL PROGRAMME**

(Key Decision)

(Public and Press excluded by virtue of Paragraph 3)

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

**Portfolio** Governance and Resources

**Subject Matter**

The Assistant Director (Resources) submitted report RD.17/11 updating Members on the Asset Review Disposal Programme and seeking Executive approval to the release and disposal of a number of surplus assets, details of which were set out in the report, in accordance with the Asset Review Business Plan.

The Deputy Chief Executive, Assistant Director (Governance) and Assistant Director (Resources) then responded to issues raised by Members of the Executive.

In conclusion, the Assistant Director (Resources) undertook to provide a written response to Members' questions concerning Asset Plan Reference Numbers 257 and 275.

**Summary of options rejected** None

**DECISION**

That the Executive:

1. Noted the position and progress with the programme to dispose of surplus assets as detailed within Report RD.17/11.
2. Authorised the release and freehold disposal of the properties set out in the Appendix to the report (with the exception of Asset Plan Reference Numbers 257 and 275 which were deferred pending the receipt of a written response from the Assistant Director (Resources)), subject to final terms agreed by the Property Services Manager.

**Reasons for Decision**

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

(The meeting ended at 2.04 pm)