

**COPELAND BOROUGH COUNCIL**

**STATEMENTS OF EXECUTIVE DECISIONS**

**MEETING HELD ON 23 MAY 2006**

**MEMBERS PRESENT:** Councillors Ms E Woodburn; M Ashbrook; G Blackwell; G Clements; C Giel; A Holliday; N Williams; H Wormstrup

**OFFICERS IN ATTENDANCE:** F McMorrow, Corporate Director (Economic Prosperity & Sustainability), T Chilcott, Corporate Director (Quality of Life); S Borwick, Head of Finance and Business Development; M Jepson, Head of Legal and Democratic Services; H Mitchel, Head of Policy and Performance; D James, Member Services Officer

V Emmerson; Environmental Health Manager, Agenda Items 1-6 & 8; T Magean, Open Spaces Manager & S Bishop, Enforcement Officer Agenda Items 1-8; M Stevenson, Communication Manager, Agenda Item 1&8, J Hughes, Regeneration Strategy Manager, Agenda Items 1-16

NOTE: Agenda Item 18 was withdrawn from the meeting prior to its commencement and no discussion took place.

**START TIME: 10.30 AM    CLOSE TIME: 12.20 PM**

**CERTIFICATION:** \_\_\_\_\_

**Certified a true record of decisions taken at the meeting of the Executive of Copeland Borough Council dated 23 May 2006**

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 1	
Subject: Statements of Executive Decisions	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/001	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context:  
Decisions made at the previous meeting requiring formal approval

Key Decision Status:  
No

Decision  
**That the Statements of decisions made at the meeting held on 26 April 2006 be agreed as a correct record**

Explanation  
N/A

**Alternative Options Considered:**  
N/A

Interests Declared: N/A

Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on: 5 June 2006	Contact Officers: D James
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 3	
Subject: Arrangement of the Agenda	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/002	Full Executive

Portfolio Holder:

Context:

To consider the order in which the Agenda is considered.

Key Decision Status:

No

Decision

That Agenda Item 8 Communication Strategy be considered first on the Agenda

Explanation

N/A

**Alternative Options Considered:**

To consider the Agenda as listed

Interests Declared: None

Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on: 5 June 2006	Contact Officers: N/A
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 8	
Subject: Communications Strategy	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/003	Full Executive

Portfolio Holder:

Context:

This report presents Copeland Borough Council's Communications Strategy, which outlines how and why Copeland Borough Council will communicate, and what role officers and Members are expected to play.

Key Decision Status:

No

Decision

**That the Communications Strategy be noted and approved**

Explanation

The Council has undertaken a Communications Best Value Review in 2004/05 which recommended that a communications strategy be formulated and adopted by the council. The CPA also identified communications as a crucial area for improvement. The proposed communications strategy falls in line with Communications Best Value Review recommendations.

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on: 5 June 2006	Contact Officers: M Stevenson
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 5	
Subject: Forward Plan	
Date of Decision: 23 May 2006	Decision made by: Full Executive
Decision Reference: EXE/06/004	

Portfolio Holder: M Ashbrook

Context:

To consider the Forward Plan of Key Decisions for June - September 2006

Key Decision Status:

No

Decision

**That the Forward Plan of Key Decisions be noted**

Explanation

N/A

Alternative Options Considered:

N/A

Interests Declared: None

Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on: 5 June 2006	Contact Officers: T Capper
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 6	
Subject: Enforcement Policy	
Date of Decision: 23 May 2006	Decision made by: Full Executive
Decision Reference: EXE/06/005	

Portfolio Holders: G Blackwell; G Clements; A Holliday; N Williams

#### Context:

The report deals with an Enforcement Policy relating to various enforcement functions of the Council and seeks the adoption of it by the Council.

During consideration of this item Members asked for the possibility of planning enforcement being included.

#### Key Decision Status:

No

#### Decision

**That a) subject to the replacement of the word “endeavour” with “will” and that there be no objections by the OSC – Economic Well Being and OSC – Social Well Being the Enforcement Policy be recommended to Council for approval; and**

**b) the possibility of including planning enforcement in the policy be investigated.**

#### Explanation

Some of the Council's enforcement functions are a legal requirement and as such there should be an Enforcement Policy but, irrespective of any legal requirement, it is also Government recommended best practice. This report recommends an enforcement policy for approval by Council.

#### Alternative Options Considered:

None

Interests Declared: None
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Implementation Date: 5 June 2006
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Publication Date: 26 May 2006
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Recorded by: D James
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Call-in Period Expires on: 5 June 2006
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Contact Officers: K Parker
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 7	
Subject: Chipside System	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/006	Full Executive

Portfolio Holder: Councillor A Holliday

#### Context:

This report seeks approval to obtain £24,042 of the retained IEG project funds to purchase the Chipside software system for the Council's principle Enforcement activities.

#### Key Decision Status:

No

#### Decision

**That a) the allocation of £24042 from the reserved IEG funding be approved to purchase the Chipside Software System;**

**b) in accordance with Contract Standing Order 5.8, section 5.5 be waived; and**

**c) an progress report be submitted in six months.**

#### Explanation

Since the Enforcement Unit began in 2000, the unit has steadily grown in terms of its functionality, now encompassing over 12 different areas of environmental enforcement. The current processing systems are limited and time consuming.

Chipside currently supply 17 Local Authorities and the product has been developed on the parking industry and has evolved to meet customers demands with the additional functions of fixed penalties (dogs, littering) being added with guarantees of specific development to meet our Council's needs.

This report seeks approval for the purchase of the system.



**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date:  
5 June 2006Publication Date:  
26 May 2006Recorded by:  
D JamesCall-in Period Expires on:  
5 June 2006Contact Officers:  
K Parker

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 9	
Subject: End of Year Performance Monitoring Report	
Date of Decision: 23 May 2006	Decision made by: Full Executive
Decision Reference: EXE/06/007	

Portfolio Holder: Councillor M Ashbrook

#### Context:

This report provides the end of year performance on the Corporate Plan targets

#### Key Decision Status:

No

#### Decision

**That 1) progress to date against the targets in the Corporate Plan 2005/7 be noted;**

**2) the Best Value Performance Indicator (BVPI) data be noted; and**

**3) with regard to Objective L2\_01 Marie Burnham be asked to give Members an update with regard to the primary and acute healthcare facilities within West Cumbria.**

#### Explanation

In accordance with Councils reporting procedure for performance monitoring this report sets out performance against the Council objectives in the Corporate Plan and progress against targets set for the Best Value Performance Indicators (BVPI). The BVPI's are the current set of unaudited figures and full details will appear in the Best Value Performance Plan in June 2006.

#### Alternative Options Considered:

None

Interests Declared: None

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Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on: 5 June 2006	Contact Officers: T Chilcott
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 10	
Subject: Community Legal Services and Citizens Advice Bureau SLA's	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/008	Full Executive

Portfolio Holder: M Jepson

#### Context:

This report recommends approval to the terms of SLA's with Community Law Centre and Copeland Citizens Advice Bureau.

During consideration of this item it was noted that in previous years the community Law Centre and The Citizens Advice Bureau had been asked to progress the use of a single telephone number as point of contact and, to date this had not been done. Members therefore stated that prior to payment next year clear evidence that this has been progressed must be submitted.

#### Key Decision Status:

No

#### Decision

That a) the service level agreements for 2006-07 be approved; and

b) both the community law centre and the citizens advice bureau be asked to progress the single line as point of contact and submit clear evidence of this prior to payment for 2007-08.

#### Explanation

For some years this Council has made grants to both the Community Law Centre and Copeland Citizens Advice Bureaus. In order to give the organisations some ability to plan their futures they made representations that the Council makes a longer term commitment to them.

As a result of recommendations from the Overview and Scrutiny Committee it was agreed for each organisation that a Service Level Agreement for three years be negotiated.

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date:  
5 June 2006

Publication Date:  
26 May 2006

Recorded by:  
D James

Call-in Period Expires on:  
5 June 2006

Contact Officers:  
M Jepson

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 11	
Subject: Consultation on Regional Spatial Strategy for the North West	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/009	Full Executive

Portfolio Holder: Councillor G Blackwell

Context:

This report seeks is to agree a formal response to the North West Regional Assembly on its draft Regional Spatial Strategy (2003 – 2021)

Key Decision Status:

No

Decision

**That a) the comments as detailed in the Section 2 and Annex 1 of the report be submitted as response to the consultation;**

**b) the Council's response be shared with partners on the Cumbria Strategic Partnership and West Cumbria Strategic Partnership;**

**c) efforts continue to ensure a West Cumbria voice be heard at the Examination in public on the RSS; and**

**d) the Corporate Director (Economic Prosperity & Sustainability), Regional Strategy Manager in consultation with the Portfolio Holder – Health and Diversity be delegated authority to add comments based on liaison with the CSP and LSP.**

Explanation

A new Regional Spatial Strategy (RSS) has been produced in draft by the North West Regional Assembly. It is to cover the period to 2021 and with the demise of County-based Structure Plans over the next 3 years it will become the principal policy lead at the sub-national level for the Council's Local Development Framework.

The Regional Assembly has submitted the document to the Secretary of State and there will be a formal Examination (Inquiry) probably in Autumn 2006 when there will be an opportunity to present objections. It is therefore very important that the Council responds to the consultation on this draft document both on its own behalf and in association with partners in the LSP and CSP. The Transport Working Party has already discussed the transport issues arising and its recommendations are incorporated in the report at Annex 1 to the report.

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date:

5 June 2006

Publication Date:

26 May 2006

Recorded by:

D James

Call-in Period Expires on:

5 June 2006

Contact Officers:

M Tichford

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 12	
Subject: Economic Development Best Value Review	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/010	Full Executive

Portfolio Holder: Councillor M Ashbrook

#### Context:

To consider a draft final and Action Plan arising from the Economic Development Best Value Review

Note: Councillor C Giel left the meeting during consideration of this item.

#### Key Decision Status:

No

#### Decision

That the Economic Development Best Value Review Executive be agreed and the Action Plan objectives be incorporated within the Service Plans as appropriate.

#### Explanation

The Council has carried out a Best Value Review of Economic Regeneration under the auspices of a Steering Group chaired by Councillor Connolly. The final report and action plan have been agreed by both the steering Group and the Economic Wellbeing Overview and Scrutiny Committee and is now before the Executive for approval.

#### Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on:  
5 June 2006

Contact Officers:  
M Tichford

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 13

Subject: The Governments Consultation on Policy for the Long Term Management of Solid Low Level Waste

Date of Decision: 23 May 2006

Decision made by:

Decision Reference: EXE/06/011

Full Executive

Portfolio Holder: Councillor Ms E Woodburn

Context:

To report back on the consultation with a draft response in order to provide Members with information upon which to come to a view on the Government's LLW Policy Review published on the 28th February.

Key Decision Status:

No

Decision

**That authority be delegated to the Head of Sustainability and Nuclear Policy in consultation with the Portfolio Holder to amend the response to take account of comments made by members and that the recommendations of the Council be forwarded to DEFRA by 31st May, the consultation end date.**

Explanation

On 28 February 2006, Government issued a consultation on policy for the long-term management of solid low level radioactive waste, deadline for response is the 31<sup>st</sup> May 2006. It is a consultation by DEFRA and the DTI about clarifying and reviewing the options for the long-term management of solid Low Level Radioactive Wastes (LLW). This report contains a proposed response.

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on: 5 June 2006	Contact Officers: D Davies
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 14	
Subject: Committee For Radioactive Waste Management (Corwm) - Draft Recommendations	
Date of Decision: 23 May 2006	Decision made by: Full Executive
Decision Reference: EXE/06/012	

Portfolio Holder: Councillor Ms E Woodburn

Context:

To inform members of the Executive of the draft recommendations for the storage of nuclear waste arising from the deliberations of the Committee for Radioactive Waste Management.

Key Decision Status:

No

Decision

**That a) the draft response to the recommendations of CoRWM as outlined in the Appendix of this report be supported; and**

**b) authority be delegated to the Head of Nuclear Sustainability in consultation with the Portfolio Holder to amend the document prior to submission if necessary.**

## Explanation

The Committee on Radioactive Waste Management (CoRWM) announced on 27th April 2006, an integrated package of draft recommendations for the long-term management of the UK's radioactive waste. The recommendations apply to the estimated 470,000 cubic metres of waste that currently exist or will arise through decommissioning of current nuclear sites. Much of this waste is currently stored in Sellafield.

Both the County and Allerdale Borough Council will have views on the consultation, and in line with previous consultations on nuclear issues, a joint response will be more powerful. Given the short timescale to respond to this consultation, this report has not yet been subject to consultation with either Council but a verbal update on their responses could be given at the meeting. In addition, the Council(s) are part of NuLEAF, the LGA sponsored special interest group for nuclear authorities, and their views will form part of the consultation response.

## Alternative Options Considered:

None

Interests Declared: None

Implementation Date:

5 June 2006

Publication Date:

26 May 2006

Recorded by:

D James

Call-in Period Expires on:

5 June 2006

Contact Officers:

D Davies

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 14	
Subject: Capital Programme 2005-06 Draft Outturn	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/012	Full Executive

Portfolio Holder: Councillor Ms E Woodburn

#### Context:

This report informs Members of the pre-audit outturn position of the capital programme, for the financial year 1<sup>st</sup> April 2005 to 31<sup>st</sup> March 2006

#### Key Decision Status:

No

#### Decision

##### That

- a. the changes as detailed in Appendix A be approved;
- b. the carry forward of £2,079,564 (£1,340,596 CBC and £738,968 external funding), Appendix B be approved;
- c. the transfer of the net CBC under spend of £17,472 to the Major projects Fund Appendix C and D,(paragraph 3.10) be approved; and
- d. the position at the year-end be noted.

#### Explanation

This report shows the expenditure against budget on the capital programme for the financial year 2005/06. At the end of each financial month, a statement is prepared by accountancy, of the actual expenditure to date on each individual capital project. This is circulated to managers together with their monthly revenue monitoring and discussed in the monthly meetings.

Changes that affect the financing of the capital programme are reported to Executive throughout the year, for approval

**Alternative Options Considered:**

No

Interests Declared: None

Implementation Date:  
5 June 2006Publication Date:  
26 May 2006Recorded by:  
D JamesCall-in Period Expires on:  
5 June 2006Contact Officers:  
S Borwick

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 16	
Subject: Draft Revenue Outturn 2005/06	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/013	Full Executive

Portfolio Holder: Councillor Ms E Woodburn

#### Context:

This report informs Members of the draft, unaudited revenue outturns of both General Fund and HRA for 2005/06. The report also makes recommendations on carry forwards and transfers.

#### Key Decision Status:

No

#### Decision

**That a) the outturn position be noted**

- a) the carry forwards to 2006/07 totalling £777,864 for General Fund be approved;**
  - b) the £139,747 available be utilised on the L&ES Strategic Reserve Account for L&ES revenue purposes, resulting in a nil balance on the L&ES Strategic Reserve Account;**
  - c) the transfer of £809,557 to earmarked reserves as detailed in the report be approved; and**
  - d) the transfer of the balance on Contingencies as at 31<sup>st</sup> March 2006 of £127,624 (uncommitted £58,817) to 2006/07 Contingencies be approved.**
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Explanation

This report details the outturns of the individual budget areas, which are shown in summary format. These outturns will be consolidated together to form the final accounts of the authority along with other accounting entries as required by accounting framework.

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date:  
5 June 2006

Publication Date:  
26 May 2006

Recorded by:  
D James

Call-in Period Expires on:  
5 June 2006

Contact Officers:  
S Borwick

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item:	
Subject: Exclusion of Press and Public	
Date of Decision: 23 May 2006	Decision made by: Full Executive
Decision Reference: EXE/06/014	

Portfolio Holder:

Context:

Excludes Press and Public from Meetings for exempt items 17

(Note: Item 18 was withdrawn from the Agenda prior to commencement of the meeting)

Key Decision Status:

No

Decision

That the Press and Public be excluded from the meeting for the remaining items of business on the grounds of exempt information as identified in paragraph 1 of Schedule 12A of the Local Government Act 1972 as amended.

Explanation

N/A

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on: 5 June 2006	Contact Officers: M Jepson
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 17	
Subject: Grading Recommendation	
Date of Decision: 23 May 2006	Decision made by: Full Executive
Decision Reference: EXE/06/015	

Portfolio Holder: Councillor N Williams

#### Context:

To consider the funding option following a recommendation from Personnel Panel to approve a regarding application.

During consideration of this item Members asked for clarification as to whether the report to the personnel panel stated a commencement date. It was noted that the recommendation put before Members asked the regarding commence from June 2005 (date of restructure) however, if the report put to personnel panel did not state a commencement date then the date of the personnel panels decision would stand.

#### Key Decision Status:

No

#### Decision

**That subject to clarification of the commencement date the regrading decision be noted funded up to the end of 2006/07 from under spend on the Regeneration Department budget in 2005/06 and from then on from the Base Budget.**

#### Explanation

This report follows an appeal to the personnel panel against assimilation which was upheld and a subsequently a regarding appeal was lodged and approved. This report considers funding.

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date:  
5 June 2006Publication Date:  
26 May 2006Recorded by:  
D JamesCall-in Period Expires on:  
5 June 2006Contact Officers:  
M Tichford

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 18	
Subject: Building Control and Town Planning Resourcing	
Date of Decision: 23 May 2006	Decision made by:
Decision Reference: EXE/06/016	Full Executive

Portfolio Holder: Councillor G Blackwell

**Context:**

This item was withdrawn from the Agenda prior to the commencement of the meeting. No discussion took place.

**Key Decision Status:**

No

**Decision**

**N/A**

**Explanation**

N/A

**Alternative Options Considered:**

N/A

Interests Declared: None

Implementation Date: 5 June 2006	Publication Date: 26 May 2006	Recorded by: D James
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Call-in Period Expires on: 5 June 2006	Contact Officers:
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