

COPELAND BOROUGH COUNCIL

STATEMENTS OF EXECUTIVE DECISIONS

MEETING HELD ON 25 APRIL 2006

MEMBERS PRESENT: Councillors Ms E Woodburn; M Ashbrook; G Blackwell; G Clements; J Hewitson; A Holliday; N Williams; H Wormstrup

Apologies for absence were received from Councillor J Hewitson & N Williams

OFFICERS IN ATTENDANCE: Dr J Stanforth, Chief Executive; S Borwick, Head of Finance and Business Development; M Jepson, Head of Legal and Democratic Services; M Tichford, Head of Regeneration; J Salt, Head of Customer Services; V Emmerson, Environmental Health Officer; S Mullen Scientific Officer, D James, Member Services Officer

START TIME: 2.00 PM CLOSE TIME: 3.30 PM

CERTIFICATION: _____

Certified a true record of decisions taken at the meeting of the Executive of Copeland Borough Council dated 25 April 2006

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 1	
Subject: Statements of Executive Decisions	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/203	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 4 April 2006 be agreed as a correct record

Explanation
N/A

Alternative Options Considered:
N/A

Interests Declared: N/A

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 5 May 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: 25 April 2006	Decision made by:
Decision Reference: EXE/05/204	Full Executive

Portfolio Holder:

Context:
To consider moving an item from part two of the agenda into public.

Key Decision Status:
No

Decision
That Agenda Item 15 – Leisure Trust be considered in the public part of the agenda

Explanation
As this item was marked to follow and may have contained exempt information it was listed under part two of the agenda, on completion it was noted not to contain anything that could not be discussed in public.

Alternative Options Considered:
None

Interests Declared: N/A

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 24 March 2006	Contact Officers: D James
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 5	
Subject: Forward Plan	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/205	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context:
To consider the Forward Plan of Key Decisions for May-August 2006

Key Decision Status:
N/A

Decision
That the Forward Plan of Key Decisions be noted

Explanation
N/A

Alternative Options Considered:
N/A

Interests Declared: N/A

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 5 May 2006	Contact Officers: D James
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 6	
Subject: Contaminated Land Strategy	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/206	Full Executive

Portfolio Holder: Councillor A Holliday

Context:

This report advises members of the review of the Council's Contaminated Land Strategy. During consideration of this item it was noted that this item should have been considered by the Overview and Scrutiny Committee – Environmental Well Being and it was agreed that any decision would be subject to final approval by them.

Key Decision Status:

No

Decision

That subject to approval by OSC – Environmental the Executive the revision of the Contaminated Land Strategy be approved

Explanation

Part IIA of the Environment Protection Act 1990 (EPA 1990), supported by the Contaminated Land Regulations (England) Regulations 2000 (SI 2000 No. 227), came into force on 1 April 2000 and places the primary regulatory role with local authorities, which reflects their function under the statutory nuisance regime and complements their function as planning authorities.

The first Strategy set a review date of January 2006 this report forms the first review.

Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 5 May 2006	Contact Officers: K Parker
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 7	
Subject: Proposals for Public Building Revenue and Capital Schemes	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/207	Full Executive

Portfolio Holder: Councillor N Williams

Context:

This report set out detailed proposals for expenditure of these budgets for the financial year

Key Decision Status:

No

Decision

That the proposed programmes of work and allocation of costs for public buildings as detailed in the report be approved.

Explanation

The Executive has approved budgetary provision of £250,000 in the Capital Programme 2006/7 for Public Building Maintenance to supplement the revenue budget. Approval has also been given for the Revenue budget for Programmed and Responsive Repairs in the sum of £302,904 (premises related expenses).

This report seeks to confirm to Executive the proposals for expenditure of these budgets for 2005/6, and to seek approval for these proposals.

Alternative Options Considered:
None

Interests Declared: None

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 5 May 2006	Contact Officers: C Lloyd
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 8	
Subject: Risk Management Strategy – Revised 2006	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/208	Full Executive

Portfolio Holder: Cllr Ms E Woodburn

Context:

This report presents the revised Risk Management Strategy for approval

Key Decision Status:

None

Decision

**That a) the revised Risk Management Strategy be approved; and
b) full training be given to Members of the Executive**

Explanation

The current Risk Management Strategy was approved in 2003. Since then both corporate governance and risk management has become increasingly important in ensuring robust and effective service delivery for local authorities. This revised Strategy takes a more robust approach and builds on the CIPFA/SOLACE guidance that has been issued.

Alternative Options Considered:
None

Interests Declared: None

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 5 May 2006	Contact Officers: S Borwick
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 9	
Subject: Financial Regulations	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/209	Full Executive

Portfolio Holder: Councillor Ms E Woodburn

Context:

This report presents the revised financial regulations for consideration and recommendation to Council

Key Decision Status:

None

Decision

That Council be recommended to a) approve the revised Financial Regulations; and

b) full training be given to all members of the Executive

Explanation

To update and revise where necessary the Councils Financial Regulations to accommodate: -

Requirement to satisfy best practice as recommended by CIPFA

Changes as a result of the restructure

Changes due to the constitution

Changes to service delivery – such as electronic procurement, partnership working

Recommendations as a result of internal audit reports

Inflation and other changes requiring a review of financial limits

Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 5 May 2006

Publication Date: 28 April 2006

Recorded by: D James

Call-in Period Expires on: 5 May 2006
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Contact Officers: D James

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 10	
Subject: Urgent Action	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/210	Full Executive

Portfolio Holder: Councillor N Williams

Context:

To note action taken on grounds of urgency by the Head of Leisure and Environmental Services in consultation with the Portfolio Holder in allocating funds to keep Cleator Moor Civic hall operational for a further two months.

Key Decision Status:

No

Decision

That the action taken be noted.

Explanation

In accordance with the Councils report procedures.

Alternative Options Considered:

N/A

Interests Declared: None

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 5 May 2006	Contact Officers: K Parker
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Copeland Borough Council

Statement of Executive Decision

Subject: Leisure Transfer Update	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/211	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context: This report explains why the calculation of the proportion of attributable pension deficit increased for transferring staff

Key Decision Status: None

Decision

That the report and actions taken are noted

Explanation

Executive on 4 April received a report which indicated that the estimated pensions deficit attributable to staff transferring as part of the new Leisure Trust, had increased from £240k to £550k. It also confirmed that there were no budgetary implications arising out of the change, and that the deficit would remain with the Council irrespective of whether or not the transfer had taken place.

This report looks at the reasons why the estimated deficit changed so significantly

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: Denise James
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Call-in Period Expires on: 5 May 2006	Contact Officers: J Stanforth
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Copeland Borough Council

Statement of Executive Decision

Subject: Exclusion of Press and Public	
Date of Decision: 25 April 2006	Decision made by: Full Executive
Decision Reference: EXE/05/212	

Portfolio Holder: Councillor N Williams

Context: Excludes Press and Public from Meetings for exempt items 11 - 14

Key Decision Status:

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: N/A	Publication Date: 28 April 2006	Recorded by: Denise James
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Call-in Period Expires on: N/A	Contact Officers: N/A
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 11	
Subject: Urgent Action Ref 10/06	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/213	Full Executive

Portfolio Holder: Councillor N Williams

Context:
To note actions taken on grounds of urgency ref: 10/06

Key Decision Status:
No

Decision
That action taken by the Head of Legal and Democratic Services in consultation with the Portfolio Holder – Resources and Local Democracy be noted.

Explanation
In accordance with reporting procedure actions taken on grounds of urgency must be noted by the executive

Alternative Options Considered:
None

Interests Declared:

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 5 May 2006	Contact Officers: M Jepson
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 12	
Subject: Restructure – Freedom of Information Officer Post	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/214	Full Executive

Portfolio Holder: Councillor N Williams

Context:

Presents a report on the creation of an Information Officer post in Democratic Services for 12 months. During consideration of this Item Members referred to their decision made in October 2005 EXE/05/0094 refers

“the interim arrangements regarding the Freedom of Information post continue for up to a further six months; and then subject of a further report detailing how the duties could be rolled up into another post”

and asked that this should still be considered.

Key Decision Status:

No

Decision

That a) this item be deferred; and

b) a further report be submitted looking into how the FOI duties could be amalgamated into an existing post within the Council.

Explanation

This report on the corporate restructure included the post of Freedom of Information Officer with temporary arrangements. This report seeks to extend the period by 12 months and include other duties in Member Services.

Alternative Options Considered:

1. as decision; or
2. as recommendation within the report

Interests Declared: None**Implementation Date:**
5 May 2006**Publication Date:**
28 April 2006**Recorded by:**
D James**Call-in Period Expires on:**
5 May 2006**Contact Officers:**
M Jepson

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 13	
Subject: Reference from Personnel Panel	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/215	Full Executive

Portfolio Holder: Councillor N Williams

Context:

This report informs Members of the decisions of Personnel Panel on 2 equal pay claims

Key Decision Status:

No

Decision

**That a) the decisions of the Personnel Panel be noted; and
b) the resource implications be noted and approved**

Explanation

Personnel Panel at its meeting on 21 March 2006 agreed 2 equal pay claims from Council employees, this report seeks to agree the subsequent resource implications

Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 24 March 2006	Contact Officers: D James
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 14	
Subject: Possible Claim against the Council	
Date of Decision: 25 April 2006	Decision made by:
Decision Reference: EXE/05/216	Full Executive

Portfolio Holder: Councillors G Clements & N Williams

Context:

This report updates Members of further progress made in respect of a possible claim against the Council and recommends a course of action.

During consideration of this item further information was given which could possibly lead to bringing the situation to a close.

Key Decision Status:

Financial – Yes
Ward - No

Decision

That a) the current position be noted; and

b) in light of the additional information and timescales involved progression to the next stage be delegated to the Chief Executive in consultation with the Leader of the Council and Portfolios Holders.

Explanation
Details progress on a possible claim against the Council

Alternative Options Considered:
As detailed in the report

Interests Declared: None

Implementation Date: 5 May 2006	Publication Date: 28 April 2006	Recorded by: D James
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Call-in Period Expires on: 5 May 2006	Contact Officers: J Stanforth
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