

COPELAND BOROUGH COUNCIL

STATEMENTS OF SPECIAL EXECUTIVE DECISIONS

HELD ON 9 JANUARY 2014

MEMBERS PRESENT: Councillors Elaine Woodburn; Hugh Branney; George Clements; Allan Holliday; Peter Kane.

An apology for absence was received from Councillor Gillian Troughton

OFFICERS IN ATTENDANCE: Paul Walker Chief Executive; Pat Graham, Director of Services, Darienne Law, Head of Corporate Resources; Keith Parker, Head of Neighbourhoods, John Groves, Head of Nuclear, Energy and Planning; Penny Mell, Head of Policy and Transformation; Julie Betteridge, Head of Regeneration and Community; Tim Capper, Democratic Services Manager; Ian Curwen, Communications Manager; Denise James, Member Services Officer

START TIME: 10.00 AM

CLOSE TIME: 1.30 PM

CERTIFICATION: _____

Certified a true record of decisions taken at the meeting of the 9 January 2014

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 1	
Subject: Statements of Decision	
Date of Decision: 9 January 2014	Decision made by:
Decision Reference: EXE/13/0078	Full Executive

Portfolio Holder: N/A

Context: To consider the statement of Executive decision made on 17 December 2013

Key Decision Status: No

Decision: That the Statements of Executive Decisions made on the 17 December 2013 be signed by the Leader as a correct record.

Explanation - N/A

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Tim Capper
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 3	
Subject: Declarations of Interest	
Date of Decision: 9 January 2014	Decision made by: Full Executive
Decision Reference: EXE/13/0079	

Portfolio Holder: N/A

Context: To note declarations of Disclosable and Non-Disclosable Pecuniary Interests

Key Decision Status: No

Decision: Councillor George Clements declared a Disclosable Pecuniary Interest in Agenda Item 11 Proposed Capital Programme relating to High Road Kells and left the meeting during consideration of this issue.

Explanation: N/A

Alternative Options Considered: None

Interests Declared: N/A

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Tim Capper
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 6	
Subject: Pension Strategy Fund Variation and Financial Strategy	
Date of Decision: 9 January 2014	Decision made by: Full Executive
Decision Reference: EXE/13/0080	

Portfolio Holder: Councillor Gillian Troughton

Context: To consider the results of the 2013 Pension Fund valuation, Copeland Council's contribution rates for the next three years and proposes a financial strategy to address the next 3 year component of recovering the deficit.

Key Decision Status: Yes

Decision: That the following be agreed in principle: -

- i. the deficit position on the Pension Fund arising from the results of the Triennial review and actuarial advice be noted;
- ii. Council be recommended to approve the utilisation of reserves for the purpose of providing a one off lump sum payment as part of the strategy to address the pension fund deficit;
- iii. the sum of £600K to be financed from general fund reserves £420K and from risk based reserves £180K be approved;
- iv. the changes in the contribution rate for future service be noted;
- v. the impact on the Medium Term Financial Strategy set out in paragraph 5.4 of the report be noted; and
- vi. formal approval of i.-v. (above) be confirmed following consideration and determination of Agenda Item 8

Explanation: All Council employees have an opportunity to join the Cumbria Local Government Pension Scheme (the Pension Fund). This is a statutory and funded scheme, governed by the provisions of the Local Government Pension Scheme (LGPS). The Pension Scheme aims to balance liabilities (pensions being paid to former employees and future pensions to be paid to current employees) and assets. Assets are held in a variety of forms, primarily equities and property, which are funded out of the contributions made by employees and employers.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Darienne Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 7	
Subject: General Fund Risk Based Reserves Review	
Date of Decision: 9 January 2014	Decision made by:
Decision Reference: EXE/13/0081	Full Executive

Portfolio Holder: Councillor Gillian Troughton

Context: To consider details the Head of Corporate Resources review of the general fund balances currently held by Council.

Key Decision Status: Yes

Decision: That the following be agreed in principle: -

- i. Council be recommended to approve the release of £180k from the risk based allocation to support the pension fund deficit lump sum payment; to leave the general fund risk based allocation at £2m;
- ii. Council be recommended to approve the sum of £336k to be received back into the General Fund balance from earmarked reserves as detailed in the Earmarked Reserve Review Report presented elsewhere on this agenda;
- iii. Council be recommended to approve the release of £420k from the unallocated general fund to support the pension fund deficit lump sum payment; to leave the general fund unallocated at £953k;
- iv. Council be recommended to approve the release of £20k from the unallocated general fund to allow the creation of a 'Knot weed' earmarked reserve as detailed in the Earmarked reserve report, presented elsewhere on this agenda; to bring the unallocated general fund balance to £933k;
- v. the use of the unallocated General Fund in the year as detailed in paragraph 4.1 be noted;
- vi. the proposed use of general fund in 2014/15, shown in Appendix A - Note 2014/15 usage depends upon the value of the settlement figures expected this week, but for the purposes of this report, assumes a usage of £138k to support the revenue budget be noted; and
- vii. formal approval of i.-vi. (above) be confirmed following consideration and determination of Agenda Item 8.

Explanation: As part of the Councils budget setting process.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Darienue Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 8	
Subject: Earmarked Reserves	
Date of Decision: 9 January 2014	Decision made by:
Decision Reference: EXE/13/0082	Full Executive

Portfolio Holder: Councillor Gillian Troughton

Context: This report details the outcome of the Corporate Leadership Team's review of the earmarked revenue reserves currently held by Council

Key Decision Status: Yes

Decision: That

1. the total of £847k (approved to date) as being released into the current year budget from Earmarked Reserves, as shown in Table 1 be noted;
2. the release of £336k from earmarked reserves to the Unallocated General Fund Reserve, to fund a pension deficit payment in year, as detailed in table 2 be approved;
3. the creation of the 'Japanese Knotweed' earmarked reserve as detailed in paragraph 3, to be funded by release from the unallocated general fund be approved;
4. Council be recommended to approve (via Budget report) the use of £275k from earmarked Reserves in support of 2014/15 revenue budget as detailed in Table 4 in paragraph 4; and
5. the decisions approved in principle at EXE/13/0080 and EXE/13/0081 be confirmed as approved.

Explanation: Revenue reserves play a key role in the management of the Council's budget. They are used as a contingency against risk, to fund new policy initiatives and to support the Council's revenue and capital budgets when needed

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Darienne Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 9	
Subject: Budget Consultation Feedback	
Date of Decision: 9 January 2014	Decision made by:
Decision Reference: EXE/13/0083	Full Executive

Portfolio Holder: Councillor Gillian Troughton

Context: To present the feedback from the budget consultation exercise report, to enable Members to use it to shape the 2014/15 budget

Key Decision Status: Yes

Decision: That the budget consultation responses be noted.

Explanation: The feedback from the budget consultation exercise will help the council to set its budget for 2014/15 in accordance with the needs and views of residents.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Darienne Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 10	
Subject: MTFS 2014/15 – 116/17 and Revenue Budget 2014/15	
Date of Decision: 9 January 2014	Decision made by:
Decision Reference: EXE/13/0084	Full Executive

Portfolio Holder: Councillor Gillian Troughton

Context: To consider a report providing Executive members with the updated projections on the Medium Term Financial Strategy and Revenue Budget Proposals for 2014/15, following the details of the Government settlement for 2014/15, which were received 18 December 2013.

Key Decision Status: Yes

Decision: That

- (i) the total settlement figure received from government on 18th December of £4.594m be noted;
 - (ii) the guaranteed cash receipt element of this settlement is £2.513m and the risk associated with the remaining £2,081m as detailed in paragraphs 1.5 and 5.2 be noted;
 - (iii) the budget setting timetable and use the Council Tax Setting Committee, which was established last year, to set the council tax, should parish councils be unable to meet the deadlines be noted;
 - (iv) the use of the New Homes Bonus to support existing Council services, see paragraph 1.7 be approved;
 - (v) the proposed fees and charges as detailed in Appendix E be approved;
 - (vi) the gap of £1.2m for 2013/14 as detailed in paragraph 4.1 and approve the following to close this to give a balanced budget for 2013/14 be noted;
 - a) the changes to the detailed saving proposals agreed by Council in February 2013, (adjusted to £500k) as set out in Appendix B be approved; and
 - b) the savings proposals for 2014/15 (£162k) as detailed in Appendix C be approved be approved;
 - c) the use of external funding from BEC Social Fund (£400k) to support the Leisure contract be approved;
 - d) the use of the unallocated general fund balance (£138k), to be used to fund the 2014/15 budget shortfall be approved;
 - (vii) the use of £275k from Earmarked Reserves, as detailed in Earmarked Reserves report presented elsewhere on this agenda be approved;
 - (viii) the working MTFS assumptions set out in paragraph 3.3 including the assumption that council tax of will be raised by 1.95%, as opposed to accepting any Council Tax freeze grant that may be offered (and retained in baseline funding), see paragraph 3.3- Council Tax be approved
 - (ix) that there will be no change to the current Council Tax Discount Scheme for 2014/15 be noted;
 - (x) Note the public consultation report, reported elsewhere on this agenda and advise if any revisions are required or if there are any alternative proposals that Executive wish to consider; and
 - (xi) the content of this report, and others on this agenda, will form the basis of the statutory budget consultation (under Statutory Instrument 1992 No.3171) under which the council is required to consult business ratepayers or business representatives on proposed spending be agreed.
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Explanation: The Council has a statutory duty to consult every year with local businesses on the budget and this helps inform decisions made on the council's budget and corporate plan. This report therefore seeks approval from the Executive for the budget proposals to be consulted upon under Statutory Instrument 1992 No.3171). Following this consultation and further consideration these final proposals will be presented to Executive at its meeting on 13th February 2014, for recommendation to Council for approval of the budget on 27 February 2014.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Darienne Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item:	
Subject: Exclusion of Press and Public	
Date of Decision: 9 November 2013	Decision made by: Full Executive
Decision Reference: EXE/13/0085	

Portfolio Holder: N/A

Context:
Excludes Press and Public from Meetings for Agenda Items 11 & 12

Key Decision Status:
No

Decision
That the Press and Public be excluded from the meeting for Agenda Items 11 & 12 on the grounds of exempt information as identified in paragraph 3 of Schedule 12A of the Local Government Act 1972 as amended.

Explanation N/A

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Tim Capper
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 11	
Subject: Proposed Capital Programme 14/15 – 16/17	
Date of Decision: 9 January 2014	Decision made by:
Decision Reference: EXE/13/0086	Full Executive

Portfolio Holder: Councillor Gillian Troughton
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Context: To consider the proposed Capital Programme for 2014/15-2016/17 and details how the programme will be funded. This includes details of new Capital project outlines developed for inclusion in the Capital Programme 2014/15-2016/17 and the existing Capital Programme of those projects previously approved in principal for these years.
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Key Decision Status: Yes

Decision: That

- (i) Council be recommended that the existing project outlines detailed in paragraph 2 be approved. These projects were presented and approved in principal by Council in February 2013 for inclusion in the Capital Programme 2014/15 and subject to the changes detailed in paragraph 2, are still required;
- (ii) Council be recommended that the new project outlines as detailed in paragraph 3 for the inclusion in the draft Capital Programme 2014/15 be approved;
- (iii) the capital receipt position as detailed in sections 5 and 6 and the risk associated with any under achievement of the forecast capital receipts be noted;
- (iv) Council be recommended to approve the proposed draft Capital Programme for 2014/15 to 2016/17, which can be funded from Useable Capital Receipts Reserve and assuming current forecast capital receipts are realised in the three year period, see paragraph 5.
- (v) the final project outlines for each new project detailed in paragraph 3 of the report be received by the Executive for approval prior to commencement of spend on the relevant project; and
- (i) Council be recommended to approve the earmarking of a maximum of £200,000 in relation to the Land Management Reserve from the General Capital Receipts Reserve (upto £175k carry forward underspend from 2013/14 and the balance from the £175k allocation in 2014/15). The remainder of the 2014/15 allocation can then be returned to the Useable Capital Receipts Reserve (See section 2.5 & 5.2).

Explanation: As part of the budget setting process

Alternative Options Considered: None

Interests Declared: Councillor George Clements declared a Disclosable Pecuniary Interest in issues relating to High Road Kells and left the meeting during its consideration.

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Darienne Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 12	
Subject: Corporate Leadership Restructure	
Date of Decision: 9 January 2014	Decision made by: Full Executive
Decision Reference: EXE/13/0087	

Portfolio Holder: Councillor Gillian Troughton

Context: To receive an update from the Leader of the Council following the meeting of the Personnel Panel where the proposed restructure of Corporate Leadership Team was discussed for consultation purposes.

Key Decision Status: Yes

Decision: That the decision of the Personnel Panel to approve the restructure report for consultation purposes be noted.

Explanation: A key element of the budget approved by Council in February 2013, was the Savings Realisation Programme for 2013-15 , which identified the savings targets to be achieved in 2013/14 and 2014/15.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 21 January 2014	Publication Date: 14 January 2014	Recorded by: Denise James
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Call-in Period Expires on: 21 January 2014	Contact Officers: Darienne Law
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