

COPELAND BOROUGH COUNCIL

STATEMENTS OF EXECUTIVE DECISIONS

HELD ON 28 MAY 2013

MEMBERS PRESENT: Councillors Elaine Woodburn; Hugh Branney; George Clements; Peter Kane; Gillian Troughton

An apology for absence was received from Councillor Allan Holliday

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

Anne Treble, Agenda Items 12 -14

START TIME: 2.00pm

CLOSE TIME: 4.10 pm

CERTIFICATION: _____

Certified a true record of decisions taken at the meeting of the 28 May 2013

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 1	
Subject: Statements of Decision	
Date of Decision: 28/5/2013	Decision made by: Full Executive
Decision Reference: EXE/13/001	

Portfolio Holder: N/A

Context:
To consider the statement of Executive decision made on 23 April 2013

Key Decision Status:
No

Decision
That the Statement of Executive Decisions be signed as a correct record.

Explanation
N/A

Alternative Options Considered: None

Interests Declared:
None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	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: 28/05/2013	Decision made by:
Decision Reference: EXE/13/002	Full Executive

Portfolio Holder: N/A

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

Key Decision Status:
No

Decision
There were no declarations of interests made.

Explanation
N/A

Alternative Options Considered: None

Interests Declared:
None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Tim Capper
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 4	
Subject: Arrangement of the Agenda	
Date of Decision: 28/05/2013	Decision made by:
Decision Reference: EXE/13/003	Full Executive

Portfolio Holder: N/A

Context: To consider the order in which the Agenda is considered along with any additional or withdrawn reports

Key Decision Status: No

**Decision: That Agenda items 12 – Revenue Budget Provisional Outturn 2012/13; 13 Capital Programme 2012/13 – Outturn & 14 Treasury Management 2012/13 Outturn reports be considered first on the Agenda and item 18 North Country Leisure Contract Variation; and
Agenda Item 18 – North Country Leisure Contract Variation be withdrawn from the Agenda**

Explanation: N/A

Alternative Options Considered: None

Interests Declared:
None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Tim Capper
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 12	
Subject: Revenue Budget – Provisional Out-Turn Report 2012/13	
Date of Decision: 28/05/2013	Decision made by: Full Executive
Decision Reference: EXE/13/004	

Portfolio Holder: N/A

Context: To inform the Executive of the provisional revenue outturn position for 2012/13.

Key Decision Status: No

Decision: That

- (i) the increase in the revenue budget from £12.284m to £12.448m following the approval of release from Earmarked Reserves by Executive in January 2013. These changes are reflected in the table in paragraph 2.1 be noted;**
- (ii) the year-end underspend of £1.216m, against the revised approved revenue budget of £12.448m, of which £576k relates to Reserve funded items, and £640k relates to core funding as detailed in paragraph 2.2 be noted;**
- (iii) the contributions of £1.242m contained within the out turn report will be transferred to earmarked reserves at year end as shown in paragraph 5.4 be noted;**
- (iv) the treatment of bad debts as detailed in paragraphs 1.1, 1.3, 1.4 and 1.5 of Appendix B be approved; and**

Council be recommended to:-

- a) approve the carry forwards from mainstream budget underspends of £435k and the carry forwards from the budget funded by Earmarked Reserves of £180k, both as detailed in paragraph 4.6 to increase the 2013/14 budget by £615k;**
- b) approve the transfer of the under spend in the mainstream budget of £640k to the General Fund unallocated balance in accordance with paragraph 2.2;**
- c) approve the transfer of £148k of the underspend in the budget funded by earmarked reserves to the General Fund unallocated balance in accordance with paragraph 2.2;**
- d) approve the transfer of £323k of the underspend in the mainstream budget to Earmarked Reserves as detailed in paragraphs 3.13, 3.30 and 3.32;**
- e) approve the use of £35k from reserves in 2012/13 in accordance with paragraph 5.2;**
- f) approve the use of the MMI earmarked reserve in the sum of £68k in accordance with paragraph 5.2; and**
- g) increase the balance on the budget for 2013/14 to £11.192m as set out in paragraph 6.1.**

Explanation: In accordance with financial regulations and the Councils monitoring procedures.

Alternative Options Considered: None

Interests Declared:
None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Darienne Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 13	
Subject: Capital Programme 2012/13 – Outturn Report	
Date of Decision: 28/05/2013	Decision made by:
Decision Reference: EXE/13/005	Full Executive

Portfolio Holder: N/A

Context: To inform Members of the provisional capital outturn position for the Capital programme 2012/13
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Key Decision Status: No

<p>Decision: That Council be recommended to</p> <ol style="list-style-type: none"> I. approve the total revised Capital Programme budget of £2,159,351 as detailed in the table at paragraph 2.4 be approved; II. approve the provisional outturn (subject to audit) of £1,435,618 as detailed in paragraphs 3 & 4 and Appendix A, resulting in a favourable variance of £723,733, which is to be split as detailed in the table in 3.1 and below:- <ol style="list-style-type: none"> a) approve £639,845 as carry forward requests (summarised in paragraph 3 & 4 and detailed in paragraph 5) to enable the completion of the outstanding projects in 2013/14. b) approve the remaining £83,888 underspend to be returned to the Useable Capital Receipts Reserve for use on new projects (of this, a saving of £46,068 relates to underspends on completed projects as shown in paragraph 6 and £37,820 are underspends returned from on-going projects which are no longer required). III. approve the financing of the capital programme for 2012/13 as set out paragraph 7. IV. note the £27,452 re-instatement of the Millom Cemetery Budget from £121,764 to £149,216 for 2013/14 as agreed at Council 6th September 2012 and detailed in 5.4.1

Explanation: In accordance with financial regulations and the Councils monitoring procedures
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Alternative Options Considered: None

Interests Declared: None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Darienne Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 14

Subject: Treasury Management Outturn Report 2012/13

Date of Decision: 28/05/2013

Decision made by:

Decision Reference: EXE/13/006

Full Executive

Portfolio Holder: N/A

Context: To consider the Treasury Management outturn report 2012/13 as required under the Local Government Act 2013

Key Decision Status: No

Decision: That Council be recommended to:
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(i) approve the actual 2012/13 prudential and treasury indicators attached at Appendix A.
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(ii) note the Treasury Management Outturn 2012/13 detailed in Section 9 of this report.
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(iii) note the make-up of the portfolio of investments as at 31st March 2013 attached at Appendix B.

(iv) note that this report will be formally considered by the Audit Committee on 26th June prior to being approved by Council on 12th September 2013.
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Explanation: This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2012/13. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

Alternative Options Considered: None

Interests Declared:
None

Implementation Date:
7 June 2013

Publication Date:
31 May 2013

Recorded by:
Denise James

Call-in Period Expires on:
7 June 2013

Contact Officers:
Darienne Law

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 6

Subject: Forward Plan

Date of Decision: 28/05/2013

Decision made by:

Decision Reference: EXE/13/007

Full Executive

Portfolio Holder: N/A

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

Key Decision Status: No

Decision: That subject to BEC Economic Blueprint, Implementation Plan being put back to June/July the Forward Plan of Key decisions May – August be noted.

Explanation: N/A

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Tim Capper
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 7	
Subject: Delivering Good Governance in Local Government – Adoption of the 2012 Addendum and Update of the Local Code.	
Date of Decision: 28/05/2013	Decision made by:
Decision Reference: EXE/13/008	Full Executive

Portfolio Holder: Councillor Elaine Woodburn
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Context: To consider a report setting out changes to the framework delivering good governance in local government arising from the work of SOLACE/CIPFA, updates Copeland Borough Council

Key Decision Status: No

Decision: That authority be delegated to the Chief Executive in consultation with the leader of Council to finalise

- a) the adoption for the Delivering Good Governance in Local Government Framework and changes set out in the 2012 Addendum;**
- b) agree the updated local code as appended to the report; and**
- c) note the timetable for the assessment of our annual review against the code and the production and audit of the Annual Governance Statement.**

Explanation: This report sets out changes to the framework delivering good governance in local government arising from the work of SOLACE and CIPFA, updates Copeland Borough Councils local code in accordance with this, and sets out the process for the annual review and production of the Annual Governance Statement 2012/13.

Alternative Options Considered: None

Interests Declared:
None

Implementation Date:
7 June 2013

Publication Date:
31 May 2013

Recorded by:
Denise James

Call-in Period Expires on:
7 June 2013

Contact Officers:
Paul Walker

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 8

Subject: Council Plan Performance Report – Quarter 4 2012/13

Date of Decision: 28/05/2013

Decision made by:

Decision Reference: EXE/13/009

Full Executive

Portfolio Holder: Councillor Allan Holliday

Context: This report provides the final performance update against the Council Plan objectives for 2012/13.

Key Decision Status: No

Decision: The final performance report against the Council Plan for 2012/13 be noted and agreed.

Explanation: In accordance with the Councils performance monitoring and reporting procedures.

Alternative Options Considered: None

Interests Declared:
None

Implementation Date:
7 June 2013

Publication Date:
31 May 2013

Recorded by:
Denise James

Call-in Period Expires on:
7 June 2013

Contact Officers:
Paul Walker

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 9

Subject: Health and Safety Performance Report – Quarter 4

Date of Decision: 28/05/2013

Decision made by:

Decision Reference: EXE/13/0010

Full Executive

Portfolio Holder: N/A

Context: To consider the Councils Quarterly Health and Safety Performance report for the fourth quarter.

Key Decision Status: No

Decision: That

- (a) the actions of the health and safety advisor post as an essential part of ensuring that Copeland as an employer complies with all relevant health and safety legislation and manages health and safety be noted; and**
- (b) £35K be set aside from the 2012/13 carry forwards to allow for the essential work arising from the fire risk assessments to be carried out as outlined in paragraph 1.3.4.1 of the report.**

Explanation: In accordance with performance monitoring procedures.

Alternative Options Considered: None

Interests Declared:
None

Implementation Date:
7 June 2013

Publication Date:
31 May 2013

Recorded by:
Denise James

Call-in Period Expires on:
7 June 2013

Contact Officers:
Keith Parker

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 10

Subject: Beacon Development Phase Requirements

Date of Decision: 28/05/2011

Decision made by:

Decision Reference: EXE/13/007

Full Executive

Portfolio Holder: N/A

Context: The Council is working in partnership with Sellafield Ltd to develop a joint delivery of the Beacon and requires early commitments and agreement from the Council for project access to the Beacon facility as part of the development activity.

Key Decision Status: No

Decision: That the approach being taken to enable Sellafield Ltd to have a visible physical presence at the Beacon as our partner in developing the Beacon Partnership through the formal arrangement of a licence during 2013/14 on standard market conditions be supported.

Explanation: These arrangements are part of the phased transition to a partnership approach to maintain the Beacon Museum and visitor attraction.

Alternative Options Considered: None

Interests Declared:
None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Darienne Law
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 11	
Subject: Copeland Housing Strategy Year 3 Delivery Plan	
Date of Decision: 28/05/2013	Decision made by:
Decision Reference: EXE/13/0012	Full Executive

Portfolio Holder: N/A

Context: The Annual Delivery Plan outlines the partnership and Council actions required to deliver the overarching strategic objective “to ensure the housing available in the Borough support the health, safety, welfare, sustainability and distinct economic and social ambitions of our communities.

Key Decision Status: No

Decision: Executive is requested to endorse the Year 3 Strategic Housing Delivery Plan, 2013/14, attached as Appendix A.

Explanation: The Annual Delivery Plan outlines the partnership and Council actions required to deliver the overarching strategic objective “to ensure the housing available in the Borough support the health, safety, welfare, sustainability and distinct economic and social ambitions of our communities.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Julie Betteridge
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 15	
Subject: Whitehaven Old Town Townscape Heritage Initiative	
Date of Decision: 28/05/2013	Decision made by: Full Executive
Decision Reference: EXE/13/0013	

Portfolio Holder: N/A

Context: To inform executive of the Whitehaven Old Town THI Stage 2 funding application to the Heritage Lottery Fund

Key Decision Status: No

Decision: That the Whitehaven Old Town THI Stage 2 funding application for £659,300 to the Heritage Lottery Fund be endorsed and its acceptance to take on the role and function of Accountable Body be confirmed.

Explanation: The proposed Whitehaven THI scheme aims to reconnect the fringe to the core of the town centre, strengthening the connection of Albion Square and the harbour with the commercial core and thus increasing footfall into this marginal area of the town.

Alternative Options Considered: None

Interests Declared:
None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Julie Betteridge
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 16	
Subject: Economic Indicators Report – End of Year 2012/13	
Date of Decision: 28/05/2013	Decision made by: Full Executive
Decision Reference: EXE/13/0014	

Portfolio Holder: N/A

Context: The information in this report provides an end of year position to keep the Executive informed of economic impact and trends in Copeland in order to inform its decision making as the country officially moves back into recession.

Key Decision Status: No

Decision:
a) the report be noted;
b) the existing activity the Council is undertaking to assist residents be considered, and
c) it be agreed to take this context into account when taking decisions that could help to offset the impact of changes in our local economy.

Explanation: Monitoring and analysing our economic indicators provides an update and understanding of the local context for our services, residents and local businesses. It enables the council to assess the impact of its current activity and identify additional activity it may be able to undertake through existing service delivery and through joint activity with our partners.

Alternative Options Considered: None

Interests Declared:
None

Implementation Date: 7 June 2013	Publication Date: 7 June 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Julie Betteridge
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Copeland Borough Council

Statement of Executive Decision

Agenda Item:	
Subject: Exclusion of Press and Public	
Date of Decision: 23 April 2013	Decision made by:
Decision Reference: EXE/13/0015	

Portfolio Holder: N/A

Context:
Excludes Press and Public from Meetings for Agenda Item 17 & 18

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 3 of Schedule 12A of the Local Government Act 1972 as amended.

Explanation
N/A

Alternative Options Considered:
None

Interests Declared: None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: D James
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Call-in Period Expires on: 7 June 2013	Contact Officers: T Capper
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 17	
Subject: Property and Buildings Maintenance – Contract Strategy and Procurement Process	
Date of Decision: 28/05/2013	Decision made by:
Decision Reference: EXE/13/0016	Full Executive

Portfolio Holder: N/A

Context: To consider the Council's property and buildings maintenance contract strategy and procurement process

Key Decision Status: No

Decision: That the report be noted and recommendations approved.

Explanation: N/A

Alternative Options Considered: None

Interests Declared:
None

Implementation Date: 7 June 2013	Publication Date: 31 May 2013	Recorded by: Denise James
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Call-in Period Expires on: 7 June 2013	Contact Officers: Darienne Law
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