

**COPELAND BOROUGH COUNCIL****MINUTES OF MEETING HELD ON 12 OCTOBER 2010**

**Present:** Councillors: M McVeigh (Mayor); D Banks; G Blackwell; J W Bowman; H Branney; A Carroll; N Clarkson; Mrs Y R T Clarkson; G Clements; P C Connolly; Mrs M Docherty; Mrs E Eastwood; G Garrity; Mrs C A Giel; F Gleaves; F R Heathcote; K Hitchen; A Holliday; Mrs J I Hully; A E Jacob; J Kane; T J Knowles; S J Meteer; D W Moore; A Norwood; J Park; R Salkeld; G Scurrah; J G Sunderland; P D Tyson; P Whalley; Mrs C Watson; P Watson; C J Whiteside; N Williams; D A Wilson; E M Woodburn; H Wormstrup.

**Apologies** for absence were received from Councillors E Brenan; R Cole; B A Dixon; Mrs D A Faichney; J Jackson; Mrs W Metherell; A D Mossop; R F Pitt; J Prince; W Southward; Mrs J Williams; A Wonnacott; Mrs M B Woodburn.

**C 283 Minutes**

The Minutes of the Meeting held on 17 August 2010 were signed by the Mayor as a correct record.

**C 284 Declarations of Interests**

Councillors G Clements, P Connolly, A Faichney and F Gleaves declared personal interests in Agenda Item 11 (Choice Based Lettings as Copeland Homes Board members.

Councillor H Wormstrup declared personal interests in Mayor's Announcements and the Executive report (In Bloom Update) as Chair of Whitehaven in Bloom and ex-member of Cumbria in Bloom.

Councillor C Giel declared a personal interest in the Executive report (MRWS) as an employee in the nuclear industry.

**C 285 Mayor's Announcements**

The Mayor welcomed the Chief Executive and the Corporate Directors for Resources and Transformation and People and Places to their first meeting of the Council since their appointments.

The Mayor then referred to the various engagements he had fulfilled since the last meeting of the Council.

The Mayor then presented Cumbria in Bloom Awards to category winners from Copeland.

**C 286 Petitions**

There were no petitions under Procedure Rule 19

**C 287 Questions from Members of the Public**

Mr S Haraldsen asked the following question of the Portfolio-holder for Promoting Prosperity:

“Have any monies been via’d through the West Cumbria Development Fund to Whitehaven Rugby League?”

The Portfolio-holder Councillor Mrs C Giel undertook to provide Mr Haraldsen with a written reply.

Mr S Haraldsen asked the following supplementary question:

“Will copies of the written reply be sent to all Councillors?”

The Portfolio-holder confirmed that it would.

Mrs J Micklethwaite asked the following question of the Leader of the Council:

“Given the fact that the Conservative Government has had to cut back on the excessive spending of the last Labour government. What is the current status of the Gateway projects such as Pow Beck and the Albion Square development. What moneys were promised by the last government to these projects and what has been indicated as available by the current government”

The Leader of the Council agreed to provide Mrs Micklethwaite with a written reply.

Mrs J Micklethwaite asked the following supplementary question:

“ I am disappointed that there is no response today. Will copies of the written reply be sent to all Councillors and will it indicate assistance given to Millom and other areas?”

The Leader of the Council confirmed that it would.

**C 288 Questions from Members of the Council Under Procedure Rule 13.1**

Written notice of the following questions had been given under Procedure Rule 13.1:

Councillor D Banks asked the following question of the Portfolio-holder for Promoting Prosperity:

“In the light of the well-publicised events at Whitehaven Rugby League Football Club, will the Portfolio-holder brief the Council on the current financial liability facing the Council.”

The Portfolio-holder Councillor Mrs C Giel, replied as follows:

“Thank you Mr Mayor. Its no secret that the Council provided two guarantees in connection with the Rugby League Club, one to the West Cumbria Development Fund of £75,000 and the other to Barclays Bank which indemnifies an overdraft facility of £50,000, so the combined amount of the 2 guarantees stands at £125,000. Officers are currently working closely with both organisations, that’s the Bank and the Fund, to try and minimise the ultimate liability. I am unable to confirm at this time whether they will be successful. I can confirm that the Pow Beck Sports Village Project will be a priority project for Energy Coast West Cumbria and is in their investment plan. I can also confirm that sports development remains a priority for Copeland Borough Council and will remain so until this Council decides otherwise. Its likely as all Members are aware that Internal OSC has resolved that the Internal Overview and Scrutiny Committee has resolved that the Chief Executive investigate the matters submitted to the Committee by Opposition Members and I believe he will be reporting to that Committee on 22 November. So I will make no further comments until this review has been completed and the report has been presented.”

Councillor Banks then asked the following supplementary question:

“Does the Portfolio-holder consider that Councillor Knowles and herself have done all they possibly could to protect the Council’s interests on the Rugby League Club?”

Councillor Mrs Giel replied as follows:

“Absolutely. Councillor Knowles and I have put hundreds of hours of work into the club. However I refer you back to my previous response. I think it best to wait until the Chief Executive’s review has been completed and his findings reported.”

Councillor G Garrity asked the following question of the leader of the Council:

“What impact has the Coalition Government revenue cuts had for West Cumberland Hospital?”

The Leader of the Council replied as follows:

“Thank you Mr Mayor. I have contacted the hospital for a comment themselves. Their response is that the Coalition’s current position is that NHS funding will be ring-fenced in regard to cuts. However its unlikely there will be inflationary increases or additions to costs associated with caring for an aging population. So realistically they won’t have enough funds and will have to save £21 million revenue between the two hospitals. Therefore a £21 million cut will have an effect on services. We’ve heard that frontline personnel will not be affected. I think we agree that for frontline services to work they have to have good back-office support staff to give the support they need. We’ve also heard about the loss of the Finance Department from West Cumberland Hospital and about the possible centralisation of call-handling services. As a Council we did stand united in making sure that we have an NHS hospital. We argued for a very long time over concerns about centralising the staff at Carlisle. Any job that goes in Copeland is a loss to Copeland, and if back-office staff have to transfer to Carlisle, then the question for the Trust is what is going to come back to the west, so that there’s an equal share.

All of us understand that there are efficiencies that need to be made, but again not at the expense of the west, they should be shared equally. With the support of the Council I will write again to the Trust asking again for a further explanation of the savings needed and the impact on the hospital and the closer to home services that this community bought into.”

Councillor P Whalley asked the following question of the Portfolio-holder for Leisure, Culture and Youth:

“Could the portfolio holder go into more detail of what the impact of the recent Government cuts, which will affect Cumbria Tourism mean for Copeland.?”

The Portfolio-holder, Councillor H Branney, replied as follows:

“Thank you Mr Mayor. For year 2010/2011 NWDA have reduced their funding to Cumbria Tourism Partnership by £275,000. This has been achieved through reduced marketing programmes, reduced research and by reducing volume costs by £100,000. Both staff have resigned or found work elsewhere and another 6 will go in the New Year. For 2011/12 NWDA have told Cumbria Tourism to plan for a zero budget from that source. This is in spite of there being a contract in place to provide more than £1.25 million towards core-funding and management costs. As a result staff in the organisation will be made redundant by Christmas or by March 2011. By then 30 new posts will be filled by staff on new terms and conditions. Five additional staff will be retained on time-limited contracts to deliver ERDF programmes. The results will be a loss of capacity and research skills. The partnership course in West Cumbria and Carlisle will be lost altogether with reductions hitting PR capability. Altogether some 25 full and part-time posts will be lost. It is possible some transitional funding may be announced in the Comprehensive Spending Review to which we all look forward. At best it will be £400,000 for the county. Cumbria Tourism is committed to extending its services in Carlisle and West Cumbria for another year if funding becomes available. In the meantime efforts are underway to identify other funding sources to sustain the West Cumbria Tourism Partnership.”

Councillor Whalley then asked the following supplementary question:

“I’m a bit disappointed that there are further job losses. However I will ask if the local authority will be seeking other sources of funding. When cuts were made to swimming in June we did extend that to September?”

Councillor Branney replied as follows:

“We are actively seeking alternative external sources of funding. But the latest information received today is that the West Cumbria Partnership will be sending a revised destination management plan to the next meeting of British Energy Coast on 27 October.”

Councillor P Whalley asked the following question of the Leader of the Council:

“The Leader has stated in a previous Full Council meeting about the need for a impact study which identifies the impact of the recent NDA redundancies and Sellafields VST, could she update Council on whether this has progressed?”

The Leader of the Council Councillor E Woodburn, replied as follows:

“Thank you Councillor Whalley. I would have liked to say to all Members here’s a copy of the full report but that isn’t the case. I have a very brief update. As an authority we did ask for an initial impact assessment, as when the community loses 50 or 60 jobs the impact speaks for itself. There’s some startling comments in the report. One is working on the basis that 70% of the Sellafield workforce resides in Copeland and if you follow the same logic, out of the 657, 431 were people living in Copeland. The one that is more scary, and needs more work, is that the earnings lost in Copeland are about £41 million, which is a massive loss of money coming into this community. When we take into consideration that these are just the initial plans, and there’s more to come, obviously there’s a lot of work organisations need to do together – its not the Council’s job, and I think sometimes we get blamed and accused of not doing this. We have a role to play, but to look at replacing some of these jobs, we need to be joined up and continuing to work with other organisations. As soon as I get the full information I will make it available to every Councillor so that they can decide for themselves where the impact will be.”

Councillor H Wormstrup asked the following question of the Leader of the Council:

“With the demise of the North West Development Agency we know of the financial impact already been felt herein Copeland, but the coalition Government announced a Regional Growth Fund, could the Leader tell Council what this is, how much and how does it compare to the funding previously received by the NWDA?”

The Leader of the Council replied as follows:

“Thank you Councillor Wormstrup. The Regional Growth Fund is a £1 billion fund that has to be spent over 2 years, and replaces the £1.4 billion that regional development agencies received. I’m going to quote Mr Clegg here, who did say that the Regional Growth Fund will create conditions for growth and enterprise in a region by stimulating investment and creating private sector jobs. I’m not quite sure how that happens here in Copeland when 50% of our economy depends on the public sector. And a lot of time and effort has gone into attracting private sector jobs. So it will be interesting to see how its going to work. If the new fund is allocated per head of population then the north-west is in line to receive around £180 million and Copeland 31.8 million, which to attract the private sector is not a lot of money. To put it in perspective, we receive in excess of £30 million from the North West Development Agency.”

Councillor Wormstrup then asked the following supplementary question:

“Mr Mayor, I will be coming back at every Council and asking about the Regional Growth Fund and Local Enterprise Partnerships and can I ask the Leader and Executive for an update at each Council on how RGF and LEP are progressing?”

The Leader of the Council replied as follows:

"I am quite happy to do that Mr Mayor."

Councillor C Whiteside asked the following question of the Leader of the Council:

"Has the council received any new information from the government since the last meeting about the current state of public finances and progress in reducing the government deficit, or about what effect the current financial position is likely to have on support for Copeland Borough Council?"

The Leader of the Council replied as follows:

"Thank you Councillor Whiteside. The Council like every public body is waiting for the results of the Spending Review on 20 October. I think at that time we will get a much clearer indication of what resources and what cuts we are facing and how that will impact on our financial position. As Members know, we have already started looking at what we need to do and a full programme of service reviews are already being carried out."

Councillor Whiteside asked the following supplementary question:

"Thank you Mr Mayor. Would the Leader like to take into account when planting all these questions about the financial situation that one new thing I've heard from the government since the last meeting is that the current state of government borrowing inherited from the previous government is still over £40 billion per year which is more than the government spends on the NHS, that whoever had won the last election, all three main parties had promised they would have to make massive cuts and that most of these problems would have occurred whoever had won the last election. Would she also be kind enough to send a copy of the impact study she just promised to the person responsible, the former Secretary of State because the NDA redundancies were under policies put in place by the last government and the Secretary of State just happens to be the new Leader of the Labour Party."

The Leader of the Council replied as follows:

"Mr Mayor, my priority in all this is the Copeland community. So you can say what you want, but this community wants to know how the cuts of the Coalition Government are going to impact on them. We'll know on 20<sup>th</sup> October."

Councillor Whiteside asked the following question of the Portfolio-holder for Performance and HR:

"Some councils, like many other large employers, allow a number of staff who are trade union officials some time off for union work.

Obviously I am asking about the general policy and not for details about the time allowed to specific individuals, or any other details which under the Access to Information acts it would not be appropriate to release in a public answer. Subject to this condition, could the portfolio holder please advise me

- 1) Does Copeland Borough Council provide this kind of support?
- 2) If so, how many people would be involved?
- 3) Is it possible to give an approximate idea of the total number of hours per year allowed to all the people concerned?
- 4) Do we know if this is comparable to the amount of time allowed by other, similar councils?"

The Leader of the Council, on behalf of the Portfolio-holder, replied as follows:

" 1) The Council has a long-standing Recognition Agreement with UNISON, the GMB and UNITE. The agreement sets out the framework for managing the Council's employee relations, and includes a substantial section covering time off for Trades Union Officials to carry out their duties and activities. It also covers equivalent provisions for Health & Safety Representatives.

The general effect of the agreement is to establish that the relevant representatives will be granted time off with pay to the extent reasonably required for their employee relations duties.

Management control is retained by requiring requests for time off to be agreed with the relevant supervisor or manager. Where there is the potential for disruption to customer service as a result, for example, of the need for urgent meetings of numbers of Union members, there is a mutual commitment to avoid disruption by, for example, scheduling meetings for the end of the working day.

As with most agreements of this sort, the practical application of the arrangements hinges around reasonableness on both sides. It is fair to say there have been no significant difficulties in the last ten years in their operation.

- 2) There are currently 7 Trades Union representatives and 8 Safety Representatives
- 3) Because of the great variety of circumstances in which representatives may carry out their duties (ranging from brief conversations or short discussions in the workplace to more formal meetings), there is no mechanism to record the total number of hours per year which are allowed to the relevant employees.
- 4) Most Councils will have an equivalent Recognition Agreement to Copeland's, but for the reason already explained, it is very doubtful that any Council will have reliable data on this subject, and there is no comparable information available."

## **C 289 Executive Report**

The Council received and noted the Executive report.

**C 290 Changes to Constitution**

The Council received and noted a report summarising changes to the Constitution considered by the Constitution Working Group, which was noted with the exception of the change to Overview and Scrutiny Call-In Criteria, which is to be referred back to the Constitution Working Group.

**C 291 Recycling**

Arising from the Executive report, the Portfolio-holder agreed to provide a written reply to Councillor Norwood on funding and timescales for re-cycling and a breakdown into categories.

**C 292 Hospital Redevelopment**

Arising from the Executive report, the Leader of the Council agreed to take up the need for a fresh rebuild schedule with the Health Trust at the meeting on 25 November.

**C 293 Recommendation from Executive – Choice Based Lettings**

The Council considered a recommendation from the Executive to adopt a revised housing allocations policy to replace the existing policy. The new policy would be part of Cumbria Choice, the emerging sub regional choice based lettings scheme for Cumbria which would go live in February 2011.

**RESOLVED** – that the report and the proposed revised allocations policy be approved and implemented.

**C 294 Recommendation from Executive – Building Control Fees**

The Council considered a recommendation from the Executive on a proposed new scheme of Building Control fees which the Council was required to adopt under the Building (Local Authority Charges) Regulations 2010.

**RESOLVED** – that the charges set out in the Appendix to the report be approved as the Council's charging scheme for the purposes of the Building (Local Authority Charges) Regulations 2010 with effect from 1 October 2010.

**C 295 Choosing to Change**

The Council considered a progress report on the Choosing to Change initiative.

**RESOLVED** – that the Council notes the report;

**C 296 Community Governance Review - Beckermest**

Consideration was given to a report of the Parish Review Working Party on a Community Governance Review in the Beckermest area which had resulted in a recommendation that a new parish of Beckermest be created.

**RESOLVED** – that that Council approves the draft Re-organisation Order for the creation of a Beckermeth Parish with effect from 1<sup>st</sup> April 2011 and the establishment of Beckermeth Parish Council with effect from the next ordinary elections following that date.

### **C 297 Treasury Management and Prudential Indicators**

The Council considered the annual treasury management report on treasury management activities in 2009/10 and actual prudential indicators for 2010/11.

**RESOLVED** – that that the Council

- (a) approves the actual 2009/10 prudential indicators within the report;
- (b) notes the treasury management stewardship report for 2009/10
- (c) Notes that a report on the first half of 2010/11 will be reported to a future Executive.

### **C 298 External Debt**

Arising from the Treasury Management Report, the Leader of the Council agreed to provide Councillor A Norwood with a written reply on payment of a £5m external debt.

### **C 299 Local Strategic Partnership Framework**

The Council considered a report setting out a proposed delivery framework for a Copeland Copeland Local Strategic Partnership

**RESOLVED** – that (a) the Council agrees to the recommendation of the Choosing to Change Board for a Copeland LSP Framework and delivery approach based on a twice yearly Copeland Community Partnership Conference supported by localities, wider communities and service deliverers, as detailed in this report; and

(b) the Council notes the gathering of Copeland evidence in support of developing a Copeland Sustainable Community Plan possibly linked into a Cumbria Sustainable Community Strategy in the future.

### **C 300 Licensing Policy**

The Council considered a report setting out the Council's duties under Section 5 of the Licensing Act 2003 relating to a statement of licensing policy.

**RESOLVED** – that the draft Statement of Licensing Policy as shown at Annex 1 be approved, subject to the amendments shown in para 2.6, to the deletion of the word "indoor" in para 4.25 and amendment of the word "smuggled" to illicit" in para 5.22.

### **C 301 Changes to Overview and Scrutiny Membership**

**RESOLVED** – that Councillor R Pitt be replaced by Councillor Mrs M Docherty on Internal OSC and by Councillor P Tyson on External OSC.

**C 302 Local Government Act 1972 – Section 85**  
**Absence of Members from Meetings**

**RESOLVED** – that pursuant to Section 85 of the Local Government Act 1972, the Council agrees to the continued absence from meetings of Councillors W Metherell for health reasons.

The meeting closed at 6.40 pm

Mayor