

**COPELAND BOROUGH COUNCIL**

**STATEMENTS OF EXECUTIVE DECISIONS**

**MEETING HELD ON 10 JULY 2007**

**MEMBERS PRESENT:** Councillors Ms E Woodburn, Chairman; H Branney; G Clements; A Holliday N Williams

Apologies for absence: Councillors G Blackwell; C Giel and T Knowles

**OFFICERS IN ATTENDANCE:** L Murphy, Chief Executive; S Bamforth Head of Finance and Business Development; J Salt, Head of Customer Services; H Mitchell, Head of Policy and Performance; M Jepson, Head of Legal & Democratic Services; M Tichford, Head of Regeneration; K Parker, Head of Leisure and Environment; D Davies, Head of Sustainability and Nuclear Policy; D James, Member Services Officer

N White, Scrutiny Support Officer & J Carroll, Waste Services Manager, Agenda Items 1-6 J Hughes, Regeneration Strategy Manager Agenda Items 1-7, D Toner, Street Infrastructure Officer Agenda Items 1-10, L Gleed, Human Resource Manager, Agenda Item 10-16, C Boyce, Legal Services Manager Agenda Items 14-16A

**START TIME: 2.00PM**

**CLOSE TIME: 3.30PM**

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

Certified a true record of decisions taken at the meeting of the Executive of Copeland Borough Council dated 10 July 2007.

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 1	
Subject: Statements of Decisions for 12 June 2007	
Date of Decision: 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0031	

Portfolio Holder:

Context:

Key Decision Status:

No

Decision

That the Statements of Decisions made at the meeting held on 12 June 2007 be agreed as a correct record.

Explanation

N/A

Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 23 July 2007	Publication Date: 4 June 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officer: D James
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 3	
Subject: Arrangement of the Agenda	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0032	

Portfolio Holder: N/A
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Context:
To consider the inclusion or withdrawal of any items on the Agenda.

Key Decision Status:
No

Decision
<b>That on grounds of urgency the Agenda be amended as follows</b>
<b>a) Funding for New Post – Personal Assistant to Leader and Deputies be considered at Item 12A;</b>
<b>b) Agenda Item 11 – Draft Council Priorities be withdrawn from the Agenda; and</b>
<b>c) Coastal Fringe/Former Haig Colliery Restoration Project Appointment of Project Manager and Works Contractor be considered at Item 16A</b>

<b>Explanation</b>
N/A

Alternative Options Considered:
N/A

Interests Declared: None
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Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: N/A
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## **Copeland Borough Council**

### **Statement of Executive Decision**

Agenda Item: 5	
Subject: Forward Plan	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0033	

Portfolio Holder: Councillor A Holliday

Context:

To consider the Forward Plan of key decisions July - October

Key Decision Status:

No

Decision

That subject to the Budget Strategy decision being extended from July to September the Forward Plan be noted.

Explanation

N/A

Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: M Jepson
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 6	
Subject: 2 Tier Waste Collections	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0034	

Portfolio Holder: Deputy Leader Councillor G Clements & Portfolio Holder Councillor G Blackwell

#### Context:

To consider a recommendation for Overview and Scrutiny Committee on Green Waste.

During consideration of this item Members asked that the relevant Deputy Leader be included in the implementation of policies.

#### Key Decision Status:

No

#### Decision

**That a) only one brown bin per property be allowed in future for Green Waste Collections;**

**b) those properties who currently have more than one bin be allowed to keep the extra bin(s); and**

**c) the decision of the Executive at its meeting on 14 March 2006 that major strategy or policy decisions with respect to waste management remain subject to the agreement of the Executive, but that decision-making on all other matters with respect to joint waste work, be noted; and**

**Council be recommended that: -**

**d) the implementation of policies, be devolved to the relevant Deputy Leader, the Portfolio Holder and the Head of Leisure and Environmental Services**

Explanation

The Safer and Stronger Communities Overview and Scrutiny Committee at its meeting on 13 June 2007 considered a report on green waste collections. This report makes recommendations on their findings.

Alternative Options Considered:

That a) only one brown bin per property be allowed in future for Green Waste Collections;

b) those properties who currently have more than one bin be allowed to keep the extra bin(s); and

c) the decision of the Executive at its meeting on 14 March 2006 that major strategy or policy decisions with respect to waste management remain subject to the agreement of the Executive, but that decision-making on all other matters with respect to joint waste work, including the implementation of policies, be devolved to the Portfolio Holder or Substitute and the Head of Leisure and Environmental Services, be noted

Interests Declared: None

Implementation Date:  
23 July 2007

Publication Date:  
13 July 2007

Recorded by:  
D James

Call-in Period Expires  
on: 23 July 2007

Contact Officers:  
N White

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 7	
Subject: Pow Beck Development Brief Supplementary Planning Document	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0035	

Portfolio Holder: Deputy Leader Councillor C Geil
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Context: This report seeks Executive approval for a draft Pow Beck Development Brief Supplementary Planning Document to go out to public consultation. This is a new style planning document which is key to the implementation of the Pow Beck Regeneration Scheme in Whitehaven
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Key Decision Status: No
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<b>Decision</b> <b>That the Executive approves the document for the purpose of public consultation</b>
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Explanation  The purpose of this Supplementary Planning Document (SPD) is to assist the regeneration of the Pow Beck Valley in Whitehaven. The SPD seeks to bring together all the previous background work which has been undertaken in this area including Westlakes Renaissance's 'masterplan'; to inform developers and other interested parties of the constraints and opportunities presented by the Pow Beck Valley area, and to indicate the type of development expected by the Council. This report seeks approval to put forward the draft SPD for consultation.
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Alternative Options Considered: None
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Interests Declared: None
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Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: M Tichford
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 8	
Subject: Proposal to Establish a Children's Trust for Cumbria	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0036	

Portfolio Holder: Deputy Leader Councillor G Clements & Portfolio Holder Councillor H Branney

**Context:**

This report introduces the concept of a Children's Trust for Cumbria and outlines proposals to establish the Trust

**Key Decision Status:**

No

**Decision**

**That a) the process whereby the Children and Young People's Strategic Partnership is established as the Commissioning Trust for children's services in Cumbria be supported; and**

**b) the partnership protocol and commit to its implementation be endorsed**

**Explanation**

A Young People's Strategic Partnership Board has been established in Cumbria, to address the Government's "Every Child Matters" agenda. This includes representatives from a number of partner agencies with a "Duty to Cooperate" under Section 10 of the Children Act (2004) which includes District Councils

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: K Parker
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 9	
Subject: National Improvement Pilot Project – Sports and Cultural Services Single Improvement Tool	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0037	

Portfolio Holder: Deputy Leader Councillor G Clements & Portfolio Holder Councillor H Branney

#### Context:

Copeland Borough Council have been selected to take part in a pilot project that will result in a new Sport and Cultural Services Single Improvement Tool for the sector. This is a national pilot project, led and supported by the IDeA

Key Decision Status:  
No

#### Decision

**That a) the Cultural Services Officers develop a project plan in line with IDeA guidance to meet key milestones; and**

**b) other departments support the process when approached to do so.**

#### Explanation

The Strong and Prosperous Communities Local Government White Paper White Paper indicates that Local Authorities will be permitted to move away from an inspection based performance culture and encouraged to use self assessment and improvement planning tools.

Alternative Options Considered:  
None

Interests Declared: None

Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: K Parker
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 10	
Subject: CCTV	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0038	

Portfolio Holder: Deputy Leader Councillor G Clements & Portfolio Holder Councillor G Blackwell

#### Context:

This report presents both an update on the progress to upgrade and enhance the Council's CCTV system and, for consideration, a draft of the proposed Service Level Agreement with Allerdale Borough Council to provide a monitoring service for Copeland's cameras during specified hours (SLA is a Part II item)

Key Decision Status:  
No

#### Decision

**That the proposals of the SLA to allow the agreement to be formalised be agreed subject to consideration of the SLA in part 11 of the Agenda.**

#### Explanation

Following a report to Executive presenting the findings of a working group set up to review the provision of CCTV, led by Cllr Clements with Members of the O & S Committee for Social Well-being, a tender brief and specification for the upgrading and enhancing of the Council's CCTV system was prepared. The Portfolio Holder, in consultation with the lead officer, was delegated to conclude the tender process within the available resources. This is to report the findings for approval.

Alternative Options Considered:  
None

Interests Declared: None

Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: T Magean
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 12	
Subject: Urgent Action – 16/07	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0039	

Portfolio Holder: Deputy Leader Councillor C Giel & Portfolio Holder  
Councillor N Williams

Context:

To note action taken on grounds of urgency in line with Councils reporting procedure.

Key Decision Status:  
No

**Decision**

**That a) action taken by the Portfolio Holder –,,,,,,,,, in consultation with the Head of Policy and Performance in approving the expenditure to cover the under-payment of Income Tax and National Insurance for individuals who retired between 2002 and 2007 be noted.**

Explanation

Full payment in lieu of notice was paid to individuals retiring from the Council between 2002 and 2007. Income Tax and National Insurance was only part paid by the Council at the time of the employees' retirement.

Alternative Options Considered:  
None

Interests Declared: None

Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: H Mitchell
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 12A	
Subject: Funding for New Post – PA to Leader and Deputies	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0040	

Portfolio Holder: N/A
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Context: The Personnel Panel at its meeting on 28 June approved proposals and a Job Profile for a new post of Personal Assistant to the Leader and Deputies of the Council.
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Key Decision Status: No
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Decision  <b>That the recommendation that the post be funded from contingencies for 2007/08 and as an addition to the Base Budget 2008/09 onwards be approved.</b>
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Explanation  Although the proposal for the creation of this post was approved by the Councils Personnel Panel funding has to be considered by the Executive. The creation of the post would have a positive impact on the Councils Corporative Objectives as it would support leading Members in driving forward progress on implementing the Council's key objectives.
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Alternative Options Considered:  None
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Interests Declared: None
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Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: T Capper
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## Copeland Borough Council

### Statement of Executive Decision

Subject: <b>Exclusion of Press and Public</b>	
Date of Decision: 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0041	

Portfolio Holder: N/A
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Context: Excludes Press and Public from Meetings for exempt items Appendix to Items 14 – 15 Appendix A – Agenda Item 10 CCTV and Item taken on grounds of urgency – Coastal Fringe/Former Haig Colliery Restoration Project Appointment of Project Manager and Works Contractor
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Key Decision Status:
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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 paragraphs 3 of Schedule 12A of the Local Government Act 1972 as amended.
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Explanation  N/A
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Alternative Options Considered: None
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Interests Declared: None
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Implementation Date: N/A	Publication Date: 15 June 2007	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: 10 – Appendix A	
Subject: CCTV	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0042	

Portfolio Holder: N/A
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Context:  To consider the draft SLA with Allerdale Borough Council. During consideration of the SLA it was noted that more flexibility should be given to the monitoring hours and Members asked for this to be looked into with Allerdale Borough Council.
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Key Decision Status:  No
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Decision  <b>That a) the decision as at EXE/07/0038 be endorsed; and</b>  <b>b) the negotiation of more flexible monitoring hours be delegated to the Open Spaces Manager in consultation with the Deputy Leader and Executive Member</b>
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Explanation  N/A
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Alternative Options Considered: None
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Interests Declared: None
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Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: T Magean
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 14	
Subject: Fleet Procurement	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0043	

Portfolio Holder: Deputy Leader Councillor G Clements

#### Context:

This report summarises the Council's fleet procurement exercise

Key Decision Status:  
No

#### Decision

- a) award of contract to the preferred bidder identified as detailed in the report be approved;**
- b) that the reserve bidder be nominated; and**
- c) the results of post tender negotiations be reported back to the Executive on completion.**

#### Explanation

Executive in July 2006 agreed to the re-tendering of the Council's fleet contract. Since then the contract has been advertised locally, nationally and in the Official Journal of the European Union (OJEU) in accordance with European Procurement Rules. This report is seeking approval for the award of the contract.

#### Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: K Parker
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 15	
Subject: Option to Re-Purchase Land – Land off Whinlatter Road Mirehouse Whitehaven	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0044	

Portfolio Holder: Deputy Leader Councillor A Holliday

#### Context:

To advise Members of an informal request, received from the Lancaster Roman Catholic Diocesan Trustees, seeking confirmation that the Council does not wish to exercise a right to repurchase the former St. Benedict's Social Club and that it has no objection to the building being used other than as a place of religious worship or presbytery.

During consideration of this item it was noted that there may be pockets of land in the ownership of the Lancaster Roman Catholic Diocesan Trust which could be utilised to help with the quality of life of other local residents throughout the Borough and asked for a meeting to be arranged to look into this possibility.

#### Key Decision Status:

No

#### Decision

**That a) the Trustees be advised that the Council does not wish to re-purchase the former St. Benedict's Social Club if a formal request was made and that it raises no objection, in property ownership terms and without prejudice to its position as planning authority, to use of the property as a fitness centre, on the ground that the proposed use supports the promotion of social well-being; and**

**b) a meeting be arranged with the Lancaster Roman Catholic Diocesan Trustees to investigate any other possibilities throughout the Borough**

#### Explanation

The property has for many years, and without objection, been used as the St Benedict's Social Club, being the Parish Centre/Club for the Parish of St Benedict. This use was in breach of the covenant restricting use to that as a place of worship or presbytery. This report seeks to address the future of the building and land.

#### Alternative Options Considered:

None



Interests Declared: None
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Implementation Date: 23 July 2007	Publication Date: 13 July 2007	Recorded by: D James
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Call-in Period Expires on: 23 July 2007	Contact Officers: M Jepson
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## **Copeland Borough Council**

### **Statement of Executive Decision**

Agenda Item: 16	
Subject: Urgent Actions	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0045	

Portfolio Holder:
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Context:  To note actions taken on grounds of urgency.
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Key Decision Status:  No
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**Decision**

**That a) reference 06/07 action taken by the Head of Regeneration in consultation with the Business Growth Portfolio Holder in suspending Contract Standing Orders to allow advertising, selection of contractors, receipt, opening and acceptance of tenders for the Cleator Moor Business Centre Scheme be noted;**

**b) reference 10/07 action taken by the Corporate Director Economic Prosperity & Sustainability in consultation with the Portfolio Holder Tourism/Major Projects in approving the appointment of the construction contractor for the Beacon Project;**

**c) reference 11/07 action taken by the Head of Finance and Business Development in consultation with the Portfolio Holder - Environmental & Cultural Services in undertaking the final stage of investigation to determine what works is required to provide long term safety to the mine shafts at Egremont be noted;**

**d) reference 12/07 action taken by the Head of Regeneration in consultation with the Deputy Leader in appointing the consultant for the Beacon Market Research and Re-branding be noted;**

**e) reference 13/07 action taken by the Corporate Director Quality of Life in consultation with the Portfolio Holder - Environmental & Cultural Services in approving the demolition of redundant prefab storage at Beck Green Nurseries Egremont be noted;**

**f) reference 14/07 action taken by the Head of Regeneration in consultation with the Portfolio Holder – Business Growth in approving A Ad Hoc list for tenders for the Egremont Gateway Project be noted; and**

**g) reference 15/07 action taken by the Head of Finance and Business Development in consultation with the Resources & Local Democracy in accepting the most economically advantageous tender for the cemetery project be noted.**

**Explanation**

In accordance with Councils reporting procedures.

**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date:  
23 July 2007

Publication Date:  
13 July 2007

Recorded by:  
D James

Call-in Period Expires  
on: 23 July 2007

Contact Officers:

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 16 A- Item considered on grounds of urgency	
Subject: Coastal Fringe/Former Haig Colliery Restoration Project – Appointment of Project Manager and Works Contractor	
Date of Decision 10 July 2007	Decision made by: Full Executive
Decision Reference: EXE/07/0046	

Portfolio Holder: Deputy Leader Councillor G Clements

#### Context:

To seek Members approval to (a) a project management contract being entered into not in accordance with Contract Standing Orders; (b) the appointment of a works contractor being delegated to officers; and (c) to provide a brief up date on the progress being made with the Coastal Fringe/Former Haig Colliery Restoration Project ('the Project')

#### Key Decision Status:

No

#### Decision

**That (a) Contract Standing Order 6 be waived to allow a contract for project management services in respect of the Project to be entered into with Entec UK Limited at a cost of £55,111 plus VAT;**

**b) in respect of the works contract, approval of an ad hoc list of contractors, and subsequent approval of the most economically advantageous tender, be delegated to the Head of Regeneration in consultation with the Head of Finance and Business Development, the Head of Legal and Democratic Services and the relevant Portfolio Holder; and**

**c) the current position regarding the Project be noted**

#### Explanation

This Project is now progressing at a pace which should enable construction works to start on site in September/October 2007. The works must be completed by the 31<sup>st</sup> March 2008 when grant funding expires. This report details a programme of works.

Alternative Options Considered: None
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Interests Declared: None
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Implementation Date: 23 July 2007
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Publication Date: 13 July 2007
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Recorded by: D James
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Call-in Period Expires on: 23 July 2007
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Contact Officers: M Jepson
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