

**COPELAND BOROUGH COUNCIL**

**STATEMENTS OF EXECUTIVE DECISIONS**

**MEETING HELD ON 2 FEBRUARY 2006**

**MEMBERS PRESENT:** Councillors Miss E Woodburn Leader; G Blackwell; G Clements; J Hewitson; A Holliday; N Williams; H Wormstrup

Apologies for absence: Councillor M Ashbrook

**OFFICERS IN ATTENDANCE:** T Chilcott, Corporate Director Quality of Life; S Borwick, Head of Finance and Business Development; M Jepson, Head of Legal and Democratic Services; K Parker; Head of Leisure and Environmental Services; J Salt, Head of Customer Services; J Murray, Scrutiny Support Officer; D James, Member Services Officer

G McWilliams, Economic and Tourism Development Manager & J Smith, Community Renewal Team Leader Agenda Items 1-16; J Hughes, Regeneration Strategy Manager, Agenda Items 1-8 C Nicholson, Accountancy Services Manager, Agenda Item 16;

**START TIME: 2.00 PM      CLOSE TIME: 3.30PM**

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

Certified a true record of decisions taken at the meeting of the Executive of Copeland Borough Council dated 2 February 2006

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 1	
Subject: Statements of Executive Decisions	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/0127	

Portfolio Holder: Councillor M Ashbrook
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Context: Decisions made at the previous meetings requiring formal approval
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Key Decision Status: No
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Decision  <b>That the Statements of decisions made at the meeting held on the 17 January 2006 be agreed as a correct record.</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: 14 February 2006	Publication Date: 7 February 2006	Recorded by: Denise James
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Call-in Period Expires on: 14 February	Contact Officers: Denise James
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 5	
Subject: Forward Plan	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/0128	

Portfolio Holder: Councillor M Ashbrook
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Context: To consider the forward plan of Key decisions February – May 2006
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Key Decision Status: N/A
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Decision  <b>That the Forward Plan of Key Decisions be noted</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: 14 February 2006	Publication Date: 7 February 2006	Recorded by: Denise James
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Call-in Period Expires on: 14 February 2006	Contact Officers: Denise James
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## Copeland Borough Council

### Statement of Executive Decision

<b>Agenda Item:</b> 6	
<b>Subject:</b> Whitehaven Commercial Park	
<b>Date of Decision:</b> 2 February 2006	Decision made by: Full Executive
<b>Decision Reference:</b> EXE/05/129	

**Portfolio Holder:** Councillor J Hewitson

#### Context:

This report outlines a proposal to generate additional interest in a key employment site in Copeland and help to create 20 new jobs and safeguard a further 61 existing posts by relocating two expanding local businesses to Whitehaven Commercial Park.

#### Key Decision Status:

No

#### Decision

That

- a) subject to a similar offer being secured from North West Development Agency funding be provided towards the site acquisition costs of the two companies concerned, up to a maximum of £5,000 per acre;
  - b) the maximum land contribution from the Council will be limited to £25,000;
  - c) a sum of £10,000 be set aside to market both the Moresby Parks site and other key sites within the Borough; and
  - d) a maximum of £35,000 be released from the Major Projects Fund to cover the contribution to land acquisition and site marketing.
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**Explanation**

There are currently over 30 acres of land available for development at Whitehaven Commercial Park, Moresby. The site is owned by the North West Development Agency (NWDA) who report very few enquiries for land, at Moresby.

In early December, the Council were approached by two local companies, who have outgrown their existing sites, in Whitehaven, and need to relocate to expand their businesses and create additional jobs

Alternative Options Considered:

None

**Interests Declared: None**

**Implementation Date:**  
14 February 2006

**Publication Date:**  
7 February 2006

**Recorded by:**  
D James

**Call-in Period Expires on:** 14 February 2006

**Contact Officers:**  
M Tichford

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 7	
Subject: Proposed West Cumbria Cycleway Partnership	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/130	

Portfolio Holders: J Hewitson & H Wormstrup

#### Context:

This report outlines proposed new arrangements for managing the cycle way network in West Cumbria following the winding up of the Cyclepath Company last summer. It includes recommendations for Council representation in a new partnership between the local authorities and Sustrans together with an annual contribution of £10,000 – the same amount which the Council contributed annually to the Cyclepath Company

#### Key Decision Status:

No

#### Decision

##### That

- a) **Council membership of the Partnership and endorsement of the management arrangements as set out in the Memorandum of Understanding be approved:**
  - b) **Council be recommended to appoint a Member to the Partnership Steering Group as the Council's formal representative;**
  - c) **an annual £10,000 contribution to the Partnership's running costs be agreed subject to confirmation each year through the budgetary process; and**
  - d) **officer responsibility for engagement with the Partnership be vested in Leisure and Environmental Services rather than Regeneration and that the budgetary arrangements be altered accordingly.**
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### Explanation

Following Groundwork West Cumbria's demise the Cyclepath Company was formally wound up in August last year. The Company had been established as a community business venture in 2000/01 being incorporated as a charity with Trustees drawn from Cumbria County, Copeland and Allerdale Councils together with Sustrans, the national cycle way building charity. It had aims of encouraging greater use of cycle ways and providing employment and training for local people but its main job was to ensure an even level of maintenance over the whole of the West Cumbria network which extends to nearly 49 Km. About two thirds of this is within Copeland and the Council owns a total of 4.6 Km. It has also made an annual contribution of £10,000 to the Company's running costs but even before Groundwork ceased to operate it was obvious that the Company no longer had the funding regime in place to effectively maintain the network and alternative arrangements needed to be agreed

### Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 14 February 2006	Publication Date: 7 February 2006	Recorded by: D James
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Call-in Period Expires on: 14 February 2006	Contact Officers: M Tichford
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 8	
Subject: Crime & Disorder Act 1998 Section 17 – Implementation Plan	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/131	

Portfolio Holder: Councillor G Clements

#### Context:

Section 17 of the Crime and Disorder Act 1998 (CDA 1998) seeks to ensure that all council departments (also the Police, Health Service and Fire Authorities) have community safety considerations embedded into their planning, their policy and their operational day to day activity. The report proposes the adoption of an Implementation Strategy and seeks support for the staging of workshops for staff and members.

#### Key Decision Status:

No

#### Decision

**That the Crime and Disorder Act 1998 Section 17 Implementation Strategy be adopted and the staging of workshops for staff and members be supported.**

#### Explanation

Section 17 of the Crime and Disorder Act 1998 (CDA 1998) seeks to ensure that all council departments (also the Police, Health Service and Fire Authorities) have community safety considerations embedded into their planning, their policy and their operational day to day activity.

The reason for bringing this report to the Executive is that community safety is an important element of the assessment within the CPA process. In addition, as a statutory requirement upon the Council, the mainstreaming of community safety requires a strong lead to be given by both the Executive and Corporate Team.



**Alternative Options Considered:**

None

Interests Declared: None

Implementation Date:  
14 February 2006

Publication Date:  
7 February 2006

Recorded by:  
D James

Call-in Period Expires  
on: 14 February 2006

Contact Officers:  
M Tichford

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 9	
Subject: Joint Working	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/133	

Portfolio Holder: Councillor G Clements

#### Context:

This report outlines progress in developing joint services with Allerdale Borough Council and West Lakes Renaissance, with particular emphasis on a joint work programme on housing matters. The report requests that progress be noted and that the approach is endorsed

#### Key Decision Status:

No

#### Decision

**That a) progress on the development of joint services with Allerdale Borough Council and West Lakes Renaissance be noted; and**

**b) the further development of this work, by officers, be supported**

#### Explanation

The Regeneration Department team members have been pursuing for some months opportunities for joint working with Allerdale Borough Council in the areas of regeneration delivery, housing, planning policy and latterly building control.

This report provides an update on progress and outlines specific proposals with regard to joint working on housing and planning policy matters.

#### Alternative Options Considered:

None

Interests Declared: None

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Implementation Date: 14 February 2006	Publication Date: 7 February 2006	Recorded by: D James
Call-in Period Expires on: 14 February 2006	Contact Officers: M Tichford	

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 10	
Subject: Review Of The Opening Hours For The Copeland Centre	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/134	

Portfolio Holder: Councillor M Ashbrook
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#### Context:

To consider delaying the opening of The Copeland Centre on Wednesdays to allow team meetings, team building and training to take place. This will allow Customer Service staff to further improve their service to Copeland Borough Council customers and partner organisations

#### Key Decision Status:

No

#### Decision

**That, in line with DWP the Council offices at the Copeland Centre do not open to the public until 10.00 hours on Wednesday mornings for a trial period, with a review of effectiveness after 3 months.**

#### Explanation

The Council through the Corporate Plan has set its main priorities for change and improvement in the future. To achieve its objectives the Council recognises that there is a requirement for managers to work closely with their teams by closing the offices to the public therefore enabling team meeting, training sessions to take place uninterrupted.

#### Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 14 February 2006	Publication Date: 7 February 2006	Recorded by: D James
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Call-in Period Expires  
on: 14 February 2006

Contact Officers:  
J salt

## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 11	
Subject: Open Cell Ceiling to the Copeland Centre Atrium	
Date of Decision: 2 February	Decision made by: Full Executive
Decision Reference: EXE/05/135	

Portfolio Holder:
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Context:  Note this item was withdrawn from the Agenda for further consultation with staff.
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Key Decision Status:  N/A
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Decision  That this item be withdrawn from the Agenda
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Explanation  Some staff have expressed their concern with certain aspects of the environment in the atrium in the Copeland Centre. Officers have looked into ways of solving this issue and are proposing to install an open cell ceiling. This is currently an area which is very high and open up to the roof level and it's believed that this will provide a valuable improvement
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Alternative Options Considered:  N/A
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Interests Declared: N/A
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Implementation Date: N/A	Publication Date: 7 February 2006	Recorded by: D James
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Call-in Period Expires on: N/A	Contact Officers: C Lloyd
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## **Copeland Borough Council**

### **Statement of Executive Decision**

Agenda Item: 12	
Subject: Best Value User Satisfaction 2006/2007 - Consultation	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/136	

Portfolio Holder: Councillor M Ashbrook

#### **Context:**

To consider the Council's response to the consultation document setting out the Government's proposals for the 2006/07 Best Value User Satisfaction Survey and invites views on the proposals set out in the consultation document.

#### **Key Decision Status:**

No

#### **Decision**

That the responses and comments to the consultation document as laid out in the report be approved.

#### **Explanation**

Resident's satisfaction with all Councils in England is assessed by a tri-annual survey. The Office of the Deputy Prime Minister (ODPM) require all Councils nationally to undertake these surveys every three years, the last one for Copeland being in the period 2003/4. The next survey therefore will be due in 2006.

#### **Alternative Options Considered:**

None

Interests Declared: None

Implementation Date: 14 February 2006	Publication Date: 7 February 2006	Recorded by: D James
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Call-in Period Expires on: 14 February 2006	Contact Officers: T Chilcott
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## **Copeland Borough Council**

### **Statement of Executive Decision**

Agenda Item: 13	
Subject: North West Coalfield Communities Regeneration Programme	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/137	

Portfolio Holder: Councillor H Wormstrup

**Context:**

To seek Members approval to bankroll key projects within the Coalfield Programme and to agree financial support for Environment Cumbria to ensure delivery of projects within the programme.

Due to an apology being received from the Deputy Chairman and the Chairman declaring an interest in this item it was proposed by Councillor N Williams duly seconded that Councillor J Hewitson be appointed chair for this item.

**Key Decision Status:**

Financial - Yes  
Ward - No

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## Decision

That

1. all Quarter 4 payments for 2005/06 for all Coalfield Programme projects to ensure compliance with North West Development Agency audit requirements be bankrolled;
2. the Moresby Parks Back-lanes project to a maximum value of £46,000 in 2006/07 subject to agreement with Wigan Borough Council that it will be repaid to Copeland in quarter 1 of 2007/08 be bankrolled;
3. financial support at the levels indicated below for Environment Cumbria for use in the development and implementation of the following projects in 2005/06 be agreed. These being funded through the current balance of £20,833 from previously approved Groundwork contribution as follows: -

Lowca Off-road Footpath    £2,000

Parton Car Park                £500

Birks Road Pay Area        £500; and subject to

satisfactory performance of these projects commitment be given in principle to further financial support for Environment Cumbria in 2006/07.

## Explanation

The Coalfields Communities Regeneration Programme is a regional NWDA funded programme supporting project activity in a number of eligible Boroughs throughout the north-west region. The programme is being co-ordinated at a regional level by Wigan Council. In Copeland the programme is a major contributor to a number of projects, delivering outputs and outcomes focussed on Employment, Business Support and Training; Environmental Improvements associated with former mining communities; and Healthy Lifestyles.

The programme commenced in 2004/05 and is set to run until September 2007/08, when all project expenditure is expected to be defrayed. The Council is acting as the Accountable Body for the Coalfields funding and is the delivery agent for two projects (Whitehaven Gateway project which is a part of the Environment Programme and the Clean and Green Team). The Council is also providing an advisory and supporting role on a number of other projects in the programme.

## Alternative Options Considered:

None

Interests Declared: Councillor Miss E Woodburn declared a prejudicial interest in this item due to being Chair of Egremont Market Town Initiative and left the meeting during its consideration.
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Implementation Date: 14 February 2006	Publication Date: 7 February 2006	Recorded by: D James
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Call-in Period Expires on: 14 February 2006	Contact Officers: M Tichford
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## Copeland Borough Council

### Statement of Executive Decision

Agenda Item: 14	
Subject: Urgent Action	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/138	

Portfolio Holder: Councillor N Williams
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Context:
To note action taken on grounds of urgency

Key Decision Status:
No

Decision
<b>That action taken by the Head of Legal Services in consultation with the Portfolio Holder, Resources and Local Democracy to settle the costs of court action as detailed in the report be noted.</b>

Explanation
In accordance with Councils reporting procedures

<b>Alternative Options Considered:</b>
N/A

Interests Declared:
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Implementation Date: 14 February 2006	Publication Date: 7 February 2006	Recorded by: D James
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Call-in Period Expires on: 14 February 2006	Contact Officers: M Jepson
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## **Copeland Borough Council**

### **Statement of Executive Decision**

Agenda Item: 15	
Subject: Egremont Market Town Initiative – Property Acquisition	
Date of Decision:	Decision made by:
Decision Reference: EXE/05/139	Full Executive

Portfolio Holder:

Context:

To support Egremont Market Town Initiative with strategic acquisition of a vacant property to allow provision for a new community facility

Key Decision Status:

No

Decision

That subject to confirmation that funds are available from West Lakes Renaissance

- a) the funding bid to West Lakes Renaissance to acquire a Key property in Egremont be supported;
  - b) with the necessary reassurances on risk, the Council acquire, hold and maintain the property for a period not more than eighteen months;
  - c) the project be built into the Capital Programme
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#### Explanation

Copeland Borough Council are being asked to help facilitate the project through acquiring and holding of the property for a fixed period of eighteen months. During this time the scheme will be taken from outline design stage to start on site at which point Copeland Borough Council will release the property to CAFE, or should the scheme fail to proceed, dispose of the property on the open market.

The Council and Egremont Market Town Partnership are currently developing a funding application to support acquisition of the building. WLR Board will be considering the application on the 25 January 2006, to support the full costs. The Council will only be in a position to proceed with the acquisition if full funding is approved. If not approved the project will not be implemented.

#### Alternative Options Considered:

None

Interests Declared: None

Implementation Date:  
14 February 2006

Publication Date:  
7 February 2006

Recorded by:  
D James

Call-in Period Expires  
on: 14 February 2006

Contact Officers:  
M Tichford

## Copeland Borough Council

### Statement of Executive Decision

Subject: <b>Exclusion of Press and Public</b>	
Date of Decision: 6 December 2005	Decision made by: Full Executive
Decision Reference: EXE/05/0140	

Portfolio Holder:
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Context: Excludes Press and Public from Meetings for exempt items 15 Annex & 16
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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 paragraph 8, 9 & 11 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: 7 February 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: 16	
Subject: Addendum to Agenda Item 15	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/141	

Portfolio Holder: Councillor J Hewitson
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Context:  To consider an addendum to Agenda Item 15 – Egremont Market Town Initiative – Property Acquisition which contained exempt information
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Key Decision Status:  No
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Decision  <b>That Decision EXE/05/139 be confirmed</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: 14 February 2006	Publication Date: 7 February 2006	Recorded by: D James
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Call-in Period Expires on: 14 February 2006	Contact Officers: M Tichford
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## **Copeland Borough Council**

### **Statement of Executive Decision**

Agenda Item: 16	
Subject: NPDB Procurement	
Date of Decision: 2 February 2006	Decision made by: Full Executive
Decision Reference: EXE/05/142	

Portfolio Holder: Councillor M Ashbrook

#### **Context:**

This report seeks Executive approval to appoint a preferred bidder in relation to the 'Leisure Trust' procurement exercise and delegated powers to conclude negotiations. In addition recommendations are made in respect of the Council's Community Development (Arts and Sports Development) Team.

Members received a presentation from C Coombs and P Cluett of QLM Consultants.

#### **Key Decision Status:**

Financial: Yes  
Ward: No

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## Decision

That:

- a) North County Leisure Ltd (NCL) be appointed preferred bidder
- b) Carlisle Leisure Ltd be appointed reserve preferred bidder
- c) A further report be submitted to the Executive, Special if necessary, to confirm the level of pension deficit the final negotiated contract and impact on central establishment costs.
- d) the savings identified up to a maximum of £140,000 be reinvested in the Community Development Team as already agreed via last years restructuring report plus an additional Partnership Officer as outlined in the report.
- e) the Council confirms agreement to underwrite the costs of the condition survey conducted by NCL should negotiations fail, with the survey and costs being passed to the reserve bidder.
- f) a sum of up to £6,000 is approved from Contingencies to fund an application to an actuary to establish the level of pension under funding; and
- g) it be noted that any pension deficit would remain with the Council.

## Explanation

On 28 April 2005 Executive gave approval for officers to secure consultancy support for the procurement process and development of an “in-house” trust option.

This report makes recommendations to progress the process.

## Alternative Options Considered:

None

Interests Declared: Councillor A Holliday declared a personal interest in this item due to his daughter being employed in leisure services.

Implementation Date:  
14 February 2006

Publication Date:  
7 February 2006

Recorded by:  
D James

Call-in Period Expires  
on: 14 February

Contact Officers:  
2006K Parker