

COPELAND BOROUGH COUNCIL

STATEMENTS OF EXECUTIVE DECISIONS

MEETING HELD ON 4 July 2006

MEMBERS PRESENT: Councillors Ms E Woodburn; M Ashbrook; G Clements; H Wormstrup

Apologies for absence was received from Councillors G Blackwell; C Geil; A Holliday; N Williams

OFFICERS IN ATTENDANCE: L Murphy, Chief Executive; S Borwick, Head of Finance and Business Development; M Jepson, Head of Legal and Democratic Services; K Parker, Head of Leisure and Environmental Services; B Kirkbride; Community Renewal Manager; H Kozich, Performance Improvement Manager, I Curwen, Communications Officer, D James, Member Services Officer

START TIME: 4.00 PM CLOSE TIME: 6.20PM

CERTIFICATION: _____

Certified a true record of decisions taken at the meeting of the Executive of Copeland Borough Council dated 4 July 2006

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 1	
Subject: Statements of Executive Decisions	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0030	

Portfolio Holder: Councillor M Ashbrook

Context: Decisions made at the previous meeting requiring formal approval
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Key Decision Status: No

Decision That the Statements of decisions made at the meeting held on 13 June 2006 be agreed as a correct record.

Explanation N/A

Alternative Options Considered: N/A

Interests Declared: N/A

Implementation Date: N/A	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: D James
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 5	
Subject: Forward Plan	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0031	

Portfolio Holder: Councillor M Ashbrook

Context:
To consider the forward plan of key decisions for July - October 2006

Key Decision Status:
No

Decision
That the Forward Plan of Key Decisions be noted.

Explanation
N/A

Alternative Options Considered:
None

Interests Declared: None

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: T Capper
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 6	
Subject: The Building (Local Authority Charges) Regulations 1998 Copeland Borough Council Scheme Of Charges 2006/07	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0032	

Portfolio Holder: Councillor G Blackwell
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Context: To consider amending Copeland Borough Council Scheme of Charges under the Building Regulations 1998 in accordance with the Local Government Association Model Scheme of Charges

Key Decision Status: No

Decision That Council be recommended that the Scheme of Charges under the Building Regulations 1998 be approved.

Explanation The Building (Local Authority Charges) Regulations 1998, which came in force on 1 April 1999 authorises local authorities to recover their proper costs, involved in the provision of the Building Regulatory service, by means of the adoption of a Scheme of Charges governed by the principles within the regulations. This report considers revision of costs.

Alternative Options Considered: None
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Interests Declared: None

Implementation Date: 14 July 2006	Publication Date: 4 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: M Tichford
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 7	
Subject: Housing Capital Allocation 2006/07	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0033	

Portfolio Holder: Councillor G Clements

Context: To present to members the recommended Housing Capital Allocation for 2006/07
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Key Decision Status: No

Decision That a) the Housing Investment Programme utilising the approved Housing Capital Allocation be approved; and b) the Housing Renewal Policy currently under review and which may impact on the current years Housing Investment Programme be noted.
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Explanation Following the Housing stock transfer the Council has limited resources to support Housing Investment this is predominantly supported through the Housing Capital Allocations which in 2005/06 supported the Private Sector Grants Programme specifically Renovation Grants/Home Repair Assistance and Disabled Facilities Grants. The Housing Capital Allocation for 2006/07, excluding Disabled Facilities Grants, of £1,319,000, is £375,000 higher than the previous years allocation of £944,000.

Alternative Options Considered: None
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Interests Declared: None

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

Statement of Executive Decision

Agenda Item: 8	
Subject: Annual Letter from the Local Government Ombudsman	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0034	

Portfolio Holder: Councillor Ms E Woodburn
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Context: To inform the Executive Board of the content of the Annual Letter of the Local Government Ombudsmen

Key Decision Status: No

Decision That a) the report be noted; and b) the letter from the ombudsman be posted on the Council website.
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Explanation The Annual Letter from the Commission for Local Government Administration dated 21 st June 2006 has been received. The letter explains the Ombudsman's consideration of the Council's performance in terms of official complaints sent to the Commission. This report details the findings and seeks approval for the letter to be posted on the Council's Website prior to it being posted on the Ombudsmen's website.

Alternative Options Considered: N/A
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Interests Declared: None

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: L Murphy
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 9	
Subject: Budget Strategy 2007/08 to 2009/10	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0035	

Portfolio Holders: Councillor Ms E Woodburn

Context:

This report recommends the budget strategy to be followed for the three years 2007/08 to 2009/10

Key Decision Status:

No

Decision

That taking on board comments made by Members

- a) the budget strategy be approved; and**
- b) the process as detailed in the report be followed.**

Explanation

The Budget and Policy Framework in the Council's Constitution includes a requirement for the Executive to publicise a timetable for making proposals to the Council for the budget, and its arrangements for consultation after publication of those initial proposals.

The new Corporate Plan covering the next five years will be available in draft from August 2006 and it is imperative that the key objectives in the plan direct the allocation of the resources for the budget process.

Alternative Options Considered:

None

Interests Declared: None

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: S Borwick
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 10	
Subject: Fleet and Equipment Contract	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0036	

Portfolio Holder: Councillor A Holliday

Context:

This report seeks funding to undertake the fleet procurement exercise in order to facilitate the re-tendering of this contract. During consideration of this item members felt that repayment of the money was essential and recommended that the funding from the major projects budget should be on a loan basis only.

Key Decision Status:

No

Decision

That

- a) the arrangements made with the Office of Government Commerce be noted;**
 - b) a loan of £30,000 be made available form the Major Projects Fund to fund project management support, advertising and associated costs of the project and repaid by either saving in the tender or elsewhere;**
 - c) if practical a partnership arrangement be entered into with Eden District Council to share project management resources for up to 12 months and if not independent consultancy support be procured to assist with project management; and**
 - d) the Overview and Scrutiny – Performance and Resources be requested to provide an arm’s length challenge to the tender process.**
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Explanation

The Council's fleet provision and maintenance contract has operated successfully with Lex Transfleet (now renamed Fraikin Ltd) for six years. The Contract has been extended to the maximum permitted under its original contract and therefore it has to be re-tendered. The Contract is of a significant value and therefore any re-tender exercise must comply with European Public Procurement Rules.

Alternative Options Considered:

None

Interests Declared: None

Implementation Date:
14 July 2006

Publication Date:
7 July 2006

Recorded by:
D James

Call-in Period Expires on:
14 July 2006

Contact Officers:
K Parker

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 11	
Subject: Health Strategy	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0037	

Portfolio Holder: Councillor G Blackwell
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Context: This report asks for the Council's draft Health Strategy to be adopted
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Key Decision Status: No

Decision That subject to any comments of the OSC Social Well-being with any amendments being delegated to the Head of Leisure and Environmental Services in consultation with the Portfolio Holder the draft health strategy be adopted by the Council.

Explanation

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 14 July 2006	Publication Date: 4 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: K Parker
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 12	
Subject: Procurement of Services to Develop Shoreline Management Plans	
Date of Decision: 4 July 2006	Decision made by:
Decision Reference: EXE/06/0038	

Portfolio Holder: Councillor A Holliday

Context:

The purpose of this report is to advise members of the proposed procurement route for Shoreline Management Plans and seek their approval for this route.

It is necessary to secure funding so that the Council develops Shoreline Management Plans in conjunction with neighbouring coastal Authorities within the Cell 11 area (from Llandudno to the Scottish Border)

Key Decision Status:

No

Decision

That

- a) the report be noted;**
- b) the proposed procurement strategy be approved; and**
- c) a proportion of any non-grant-aided elements be funded.**

Explanation

In the last 10 years Coastal Protection Authorities have undertaken significant progress in understanding and mapping coastal processes through the first generation of SMP's.

SMPs provide a large-scale assessment of the risks associated with coastal processes and present a long term policy framework to reduce these risks to people and the developed, historic and natural environment in a sustainable manner. An SMP is a high level document that forms an important element of the strategy for flood and coastal erosion risk

Alternative Options Considered:

None

Interests Declared: None

Implementation Date:
14 July 2006

Publication Date:
7 July 2006

Recorded by:
D James

Call-in Period Expires on:
14 July 2006

Contact Officers:
K Parker

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 13	
Subject: Pow Beck Valley	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0039	

Portfolio Holder: Councillor M Ashbrook

Context: The report provides details of a proposed "Flood Risk Assessment Study" for the Pow Beck Valley together with a suggested way forward for working in partnership with West Lakes Renaissance.

Key Decision Status: No

Decision That <ul style="list-style-type: none">a) a contribution of £15k be made towards the cost of the Flood Risk Assessment Study funded from The Major Projects Fund; andb) that the Council is the client for this work be agreed in principle.
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Explanation In partnership with West Lakes Renaissance the Council has been involved in establishing ambitious plans for the regeneration of the Pow Beck Valley area of Whitehaven.

Alternative Options Considered: None
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Interests Declared: None

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

Statement of Executive Decision

Agenda Item: 14	
Subject: Economic Regeneration Projects – Acquisition Process Revisions	
Date of Decision: 4 July 2006	Decision made by:
Decision Reference: EXE/06/0040	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context:

To seek approval to suspend Contract Standing Order 21 in regard to designated Copeland Regeneration Programmes to facilitate the acquisition of land for redevelopment projects

Key Decision Status:

No

Decision

That

(a) a recommendation be made to Council that Contract Standing Order 21 is suspended and delegated to Officers for Regeneration Programmes as set out in paragraph 2.2 of the report; and

(b) the position in respect of the Whitehaven Regeneration Programme be noted.

Explanation

Contract Standing Order ('CSO') 21 sets out various requirements regarding the acquisition of land. CSO 21.4 requires full Council to approve an acquisition for more than value; CSO 21.7 sets out various requirements regarding the conduct of negotiations; and CSO 21.8 states that land having a value of £100,000 or more shall not be sold or acquired unless 'at least one independent valuation from a suitably qualified person, not being the Valuer of the Council, is obtained; and the Council's Valuer approves that valuation'.

Recently the Council purchased on behalf of West Lakes Renaissance ('WLR') an area of land at Newtown for longer term regeneration activity. CSO 21 complicated the process and slowed the purchase. In order to comply with CSO 21 the Council's external valuer had to be appointed to value the property. To provide a valuation the valuer had to inspect the property thus making contact with the seller to gain access. This caused confusion, delayed the matter and resulted eventually in the valuer endorsing the original valuation

Alternative Options Considered:

None

Interests Declared: None

Implementation Date:
14 July 2006

Publication Date:
7 July 2006

Recorded by:
D James

Call-in Period Expires on:
14 July 2006

Contact Officers:
M Tichford

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 15	
Subject: Cumbria Inward Investment Agency	
Date of Decision: 25 April 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0041	

Portfolio Holder: Councillor C Geil

Context: This report details the results of negotiations between Copeland Borough Council and Cumbria County Council over Board membership in Cumbria Inward Investment Agency

Key Decision Status: No

Decision That Council be recommended to approve that Portfolio Holder for Business Growth, be appointed Council's representative on the Board of Cumbria Inward Investment Agency.
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Explanation At their meeting on 23 rd May 2006 the newly formed Board of Cumbria Inward Investment Agency decided to offer a seat on the Board to Copeland Borough Council, subject to payment of the agreed contribution. This report considers nominations.

Alternative Options Considered: None
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Interests Declared: None

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

Statement of Executive Decision

Agenda Item: 16	
Subject: Gershon Efficiency Agenda – Annual Statement of Efficiency Backward Look 2005/06	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0042	

Portfolio Holder: Councillor Ms E Woodburn
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Context: To seek the approval of the Executive to the content of the Annual Efficiency Statement Backward Look 2005/6, before it is submitted to Government
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Key Decision Status: No

Decision That Executive notes progress against the Gershon targets and approves the Annual Efficiency Statement Backward Look 2005/6

Explanation Under the Gershon Efficiency programme 2005/8 the Council is required to identify and deliver £945,000 efficiency gains in under a number of specified headings. The Council has already identified where it expects to find these efficiencies and has advised the ODPM (now DCLG) of its plans in Annual Efficiency Statements – Forward Looks for 2005/6 and 2006/7. The Backward Look 2005/6, attached to this document, is the report on the first year's progress in meeting our targets.
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Alternative Options Considered: None

Interests Declared: None

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: H Mitchell
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 17	
Subject: Cliff Slippage at William Pitt, Bransty	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0043	

Portfolio Holder: Councillor N Williams

Context:

This report advises Members of progress made to resolve this urgent matter of cliff slippage at Bransty and confirms the current assessment of the financial implications.

Key Decision Status:

No

Decision

That a) the action taken on grounds of urgency be noted; and

b) the setting aside of additional funds to enable the works to be undertaken to a maximum of £50,000 be approved.

Explanation

In early April 2006 a slippage of the cliff occurred at William Pitt, immediately above the Cumbria Steel stock building. This resulted in large amounts of soil and boulders falling down the cliff and resting against a chain link fence to the rear of the building. Action was taken on grounds of urgency and £50,000 set aside. Upon receipt of the tenders a price of £98,000 was noted. This report seeks approval for a further £50,000 to meet the new expected costs.

Alternative Options Considered:

None

Interests Declared:

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: S Borwick
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 18	
Subject: West Cumbria Development Fund	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0044	

Portfolio Holder: Councillor M Ashbrook

Context:
To consider a financial contribution towards the West Cumbria Development Fund.

Key Decision Status:
Financial – Yes
Ward - No

Decision
That the recommendation to reinstate the final payment relating to a three year agreement to contribute towards the West Cumbria Development Fund be approved

Explanation
The Council previously agreed to contribute £ 62,000 per annum to the West Cumbria Development Fund for a period of three years ending in March 2008. Allerdale and Cumbria Local Authorities match this contribution and it triggers further contributions from the private sector resulting in a total fund in excess of £5m over the three year period. This creates a funding source for major economic regeneration projects in West Cumbria and provides loan and equity funding to support business expansion.

Alternative Options Considered:
None

Interests Declared: None

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: F McMorrow
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 19	
Subject: 5 Year Corporate Plan	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0045	

Portfolio Holder: Councillor M Ashbrook

Context: This report seeks approval from the Executive to take the Executive Summary 5 Year Corporate Plan for consultation with partners, members and staff

Key Decision Status: No

Decision That the summary 5 year corporate plan to allow it to go for consultation to partners, members and staff during July be approved
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Explanation It was agreed that a 5 Year Corporate Plan would be developed by Copeland Borough Council to support effective longer term planning. Central to the development of the 5 year plan is consulting partners, Members and staff, to ensure that the plan meets the needs and aspirations of those groups. The Executive Summary has been developed to facilitate this process.

Alternative Options Considered: None

Interests Declared:

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: H Mitchell
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 20	
Subject: Urgent Actions 12/06 13/06 & 14/06	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0046	

Portfolio Holder:

Context:
To note actions taken on grounds of urgency

Key Decision Status:
None

Decision
That actions taken on grounds of urgency by: - <ul style="list-style-type: none">a) the Head of Business development in consultation with the Portfolio Holder Resources and Local Democracy in approving £50,000 from contingencies to be used to fund emergency works;b) the Head of Regeneration in consultation with the Portfolio Holder Environmental and Cultural Services in procuring a consultant Project Manager to oversee the development of the coastal fringe scheme; andc) the Head of Sustainability and Nuclear Policy in approving funding for a study – UK storage/disposal of intermediate level waste/High Level waste.

Explanation
In accordance with Council's reporting procedures

Alternative Options Considered:
N/A

Interests Declared:

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

Statement of Executive Decision

Subject: Exclusion of Press and Public		
Date of Decision: 4 July 2006	Decision made by: Full Executive	
Decision Reference: EXE/06/0047		

Portfolio Holder:

Context: Excludes Press and Public from meeting for exempt items 21-23
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Key Decision Status:

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

Explanation N/A

Alternative Options Considered: N/A
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Interests Declared: N/A

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 2 14 July 2006	Contact Officers: N/A
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 21	
Subject:	
Date of Decision: 4 July 2006	Decision made by:
Decision Reference: EXE/06/0048	Full Executive

Portfolio Holder: Councillor G Blackwell
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<p>Context:</p> <p>This report sets out proposals for ensuring the Council has adequate resources to deliver its Town Planning and Building Control functions and responds to a proposal to develop a jointly managed building control service with Allerdale Borough Council.</p> <p>During consideration of this item Members felt that there was still some work and investigation needed to be done before a decision could be made and with an apology being received from the Head of Regeneration it was agreed that this item be deferred to either the next meeting or, if necessary a special meeting of the Executive.</p>

Key Decision Status:
No

Decision
That this item be deferred to either the next meeting or, if necessary, a special meeting of the Executive.

Explanation
N/A

Alternative Options Considered:
To approve the recommendations as detailed.

Interests Declared: None

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

Statement of Executive Decision

Agenda Item: 22	
Subject: Coaching and Mentoring – Chief Executive and Leader	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/	

Portfolio Holder: Councillor N Williams

Context: This report makes proposals for the funding of the coaching and mentoring of the Council's Chief Executive and Leader

Key Decision Status: No

Decision That a) the proposed arrangements for coaching and mentoring as approved by the Personnel Panel be noted; and b) £5,000 of the costs be taken from the Corporate Training Budget and the balance from the Contingencies Fund
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Explanation Personnel Panel approved a plan for coaching and Memtoring of the Chief Executive and Leader of the Council, the Executive must consider funding of this.
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Alternative Options Considered: None

Interests Declared: None

Implementation Date: 14 July 2006	Publication Date: 7 July 2006	Recorded by: D James
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Call-in Period Expires on: 14 July 2006	Contact Officers: L Gleed
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 23	
Subject: Urgent Action 08/06	
Date of Decision: 4 July 2006	Decision made by: Full Executive
Decision Reference: EXE/06/0049	

Portfolio Holder: Councillor Ms E Woodburn
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Context:
To note actions taken on grounds of urgency in accordance with Council reporting procedures.

Key Decision Status:
No

Decision
That action taken on grounds of urgency by the Head of Regeneration in consultation with the Leader and Portfolio Holder - Business Growth in approving short term staffing issues

Explanation
N/A

Alternative Options Considered:
N/A

Interests Declared: None

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