

COPELAND BOROUGH COUNCIL

STATEMENTS OF EXECUTIVE DECISIONS

MEETING HELD ON 28 APRIL 2005

MEMBERS PRESENT: Councillors Miss E M Woodburn (Leader); Councillor M J Ashbrook (Deputy Leader); G Blackwell; G Clements; B Dixon; A Holliday; N Williams; H Wormstrup

OFFICERS IN ATTENDANCE: Dr J Stanforth, Chief Executive; T Chilcott, Corporate Director (Quality of Life); F McMorrow, Corporate Director (Economic Prosperity & Sustainability); S Borwick, Head of Finance and Business Development; M Jepson, Head of Legal and Democratic Services; T Capper, Principal Officer (Secreariat); K Parker Head of Environmental & Leisure Services; B Kirkbride Principal Community Regeneration Officer; M Tichford, Head of Regeneration; L Penfold, Senior Policy Officer (Items 1-6); C Ponting, Policy Officer (Items 1-13); I Curwen, Communications Officer; H Mitchell, Head of Policy & Performance; C A Lloyd, Business Development Manager; M Williams, Principal Investment Promotion Officer (Items 8-19); D Toner, Parks & Facilities Officer

DECISIONS TAKEN IN PRIVATE: The Executive resolved at EXE/04/0213 to take the following items in private due to exempt information in the following categories:

EXE/04/0214 (paragraph 8)

START TIME: 2.00PM

CLOSE TIME: 2.55PM

CERTIFICATION: _____

Certified a true record of decisions taken at the meeting of the Executive of Copeland Borough Council dated 28 April 2005.

Copeland Borough Council

Statement of Executive Decision

Agenda Item Number: 1	
Subject: Statements of Decisions made on 5 April 2005	
Date of Decision: 28 April 2005	Decision made by:
Decision Reference: EXE/04/0199	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context: Decisions made at the previous meetings requiring formal approval

Key Decision Status: No

Decision

That the Statements of decisions made at the meeting held on the 5 April be agreed as a correct record.

Explanation

N/A

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: T Capper – Principal Officer Secretariat
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 5	
Subject : Forward Plan	
Date of Decision: 28 April 2005	Decision made by:
Decision Reference: EXE/04/0200	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context: To consider the forward plan of Key decisions April – August 2005

Key Decision Status: No

Decision

That subject to it being noted that Key action 3 under key objective ON3 has not been achieved, the Forward Plan of Key Decisions be noted.

Explanation

N/A

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: T Capper – Principal Officer Secretariat
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 6	
Subject: Corporate Theme: Creating and Sustaining a Healthy Local Economy	
Date of Decision: 28 April 2005	Decision made by:
Decision Reference: EXE/04/0201	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context: Summarises progress against Corporate Plan objectives

Key Decision Status: No

Decision

That the report be noted.

Explanation

Sets out actions and progress in each for objectives in the Corporate Plan – Creating and Sustaining a Healthy Local Economy

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: F McMorrow – Corporate Director (Economic Prosperity & Sustainability)
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 7	
Subject: The Building (Local Authority Charges) Regulations 1998 Copeland Borough Council Scheme of Charges	
Date of Decision: 28 April 2005	Decision made by: Full Executive
Decision Reference: EXE/04/0202	

Portfolio Holder: Councillor A Holliday

Context: To consider amending Copeland Borough Council Scheme of Charges under the Building (Local Authority Charges) Regulations 1998 in accordance with the Local Government Association Model Scheme of Charges.

It was noted that a full report on the Council's fees and charges is to be considered at a future meeting therefore Members asked for this report to be considered at the same time.

Key Decision Status: No

Decision

That the report be deferred to a future meeting of the Executive

Explanation

N/A

Alternative Options Considered: a) **That Council be recommended that the Copeland Borough Council Scheme of Charges under the Building(Local Authority Charges) Regulations 1998 be amended in accordance with the Local Government Association Model Scheme of Charges; or**
b) **this report be deferred to a future meeting of the Executive.**

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on:
9 May 2005

Contact Officers:
M Tichford – Head of Regeneration

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 8

Subject Cleator Moore Business Centre Service level Agreement 2005-06

Date of Decision: 28 April 2005

Decision made by:

Decision Reference: EXE/04/0203

Full Executive

Portfolio Holder: Councillor B Dixon

Context: To consider the service Level Agreement for 2005-2006 for the Cleator Moor Business Centre

Key Decision Status: No

Decision

**That a) the end of year Service Level Agreement Report be noted; and
b) the Service Level Agreement for 2005 – 2006 be approved.**

Explanation

Prior to payment of any service level agreement a report on proposed targets for the coming year and an analysis of key outputs/activities undertaken for the previous year must be submitted to the Executive. This report is submitted on behalf of the Cleator Moor Business Centre, and sets out details of people employed, properties occupied and occupations conducted, activities undertaken and advice and guidance given.

Alternative Options Considered: None

Interests Declared: None

Implementation Date:
9 May 2005

Publication Date:
4 May 2005

Recorded by:
T Capper

Call-in Period Expires on: 9 May 2005
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Contact Officers: M Tichford - Head of Regeneration
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 9

Subject: Footway Lighting and Christmas Lights Contracts
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Date of Decision: 28 April 2005

Decision made by:

Decision Reference: EXE/04/0204

Full Executive

Portfolio Holder:

Context: This report is seeking to combine the Footway Lighting and Christmas Lights Contracts into one; to be let for a period of 3 years with options to extend for a further 2 years and explore a possible partnership arrangement. It also seeks authorisation to advertise for expressions of interest and proceed with the tendering process

Key Decision Status: No

Decision

That

- 1. all elements of the Christmas Lights contract be included as part of the Council's Footway Lighting contract to be let for a minimum period of 3 years with options to extend and to explore a partnership arrangement; and**
- 2. that approval be given to advertise for prospective contractors and for the contract process to proceed to the invitation of tenders**

Explanation

The contract for the maintenance of Copelands footway Lighting ended in 1997 and has been awarded on an annual basis ever since, the Christmas lights contract historically has been carried out by the Councils in-house team in building services.

As the Council no longer has the in-house capability to carry out the Christmas lights contract it was proposed to combine it with the Footway Lighting Contract which can then be let on a longer term and ensure continuity.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005

Publication Date: 4 May 2005

Recorded by: T Capper

Call-in Period Expires on: 9 May 2005
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Contact Officers: K Parker – Head of Leisure and Environmental Services

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 10	
Subject NPDB Procurement	
Date of Decision: 28 April 2005	Decision made by:
Decision Reference: EXE/04/0205	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context:

This report builds on the November 2004 Executive report and seeks authority to place advertisements seeking submissions from third parties interested in operating the Council's Leisure facilities, to procure partnership support for that process and to procure consultancy to assist with the development of a submission by an in house, stand alone, trust.

Key Decision Status: No

Decision

That a) the report be noted; and

b) the one off expenditures to:

- i) employ management support to develop the documentation for, and implement, a procurement process; and**
 - ii) employ a consultant to develop a submission for a stand alone Trust based on existing management and staff supporting Trustees who will be recruited from the local community**
- be approved.**

Explanation

In 2004 the Council funded an actuary to establish the potential level of under-funding in the pension scheme and one off expenditure of up to £75,000 which was included in the projections of savings, available to a Not for Profit Distributing Body (NPDB).

The level of pension under fund has now been established and it is noted that there are no additional financial implications to the Council.

The next stage of the process is to procure a consultancy to assist with the development of a submission by an in house, stand alone, trust.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005

Publication Date: 4 May 2005

Recorded by: T Capper

Call-in Period Expires on: 9 May 2005
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Contact Officers: K Parker Head of Leisure and Environmental Services
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 11	
Subject : Copeland Stadium Refurbishment	
Date of Decision: 28 April 2005	Decision made by:
Decision Reference: EXE/04/0205	Full Executive

Portfolio Holder:

Context:

To provide details of the proposed refurbishment and improvements to Copeland Stadium and deals with a request for assistance from the Trustees

Key Decision Status: No

**Decision
That**

- a) **the report and the proposed letter informing the Trustees of the Council's support for the proposed refurbishment and redevelopment at Copeland Stadium be approved; and**
- b) **the request for expenditure of £20,000 of the £150,000 set aside for this project subject to the conditions detailed in the report and appended letter be approved.**

Explanation

The Trustees of the Copeland Stadium have advised the Council that they would like to undertake major redevelopment and improvements at the Cumbria Academy of Sport including the Athletic track, a multi use games area, mini mod football pitch, disabled lift and new changing rooms.

This report seeks Member support for the refurbishment, by way of letter (appended to the report), to the trustees.

Alternative Options Considered: None

Interests Declared: Councillor G Blackwell declared a personal interest in this item due to being a trustee of the Copeland Stadium.

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: P Sutton – Leisure Manager
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 12	
Subject: Leisure Facilities Development	
Date of Decision: 28 April 2005	Decision made by:
Decision Reference: EXE/04/0206	Full Executive

Portfolio Holder: Councillor M Ashbrook

Context: To seek endorsement of actions taken by the Head of Leisure and Environmental Services in relation to a potential opportunity to relocate the Council's Whitehaven Leisure Facilities onto a new single location

Key Decision Status: No

Decision

That

- 1. the actions taken by the Head of Leisure and Environmental Services in supporting the feasibility study being undertaken by West Lakes Renaissance be endorsed; and**
- 2. a further reports be brought to Executive as the project develops**

Explanation

An opportunity presented itself for the Council to consider the relocation of its Whitehaven based leisure facilities to the Pow Beck site as part of that redevelopment initiative being promoted by Westlakes Renaissance. Since timescales were short the Head of Leisure and Environmental Services gave a commitment to support the feasibility.

Members are now asked to endorse this action and note that further reports will be submitted as and when further progress is made.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: K Parker – Head of Leisure and Environmental Services
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 13	
Subject Best Value review of External Communications	
Date of Decision: 28 April 2005	Decision made by: Full Executive
Decision Reference: EXE/04/0207	

Portfolio Holder: Councillor N Williams

Context: This report contains the improvement plan for the Communications Best Value Review

Key Decision Status: No

Decision

That

- 1. the Improvement Plan be approved; and**
- 2. funding be approved for a media management system**

Explanation

The Council undertook a Best Value Review of External Communications as Best Value programme for 2004/05.

This report submits the Best Value report and seeks approval to the recommendations, which would lead to a strengthened communications function better suited to meeting the need of the Council and its stakeholders.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: H Mitchel – Head of Policy and Performance
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 14

Subject Members' Remote Access To Council ICT Systems

Date of Decision: 28 April 2005

Decision made by:

Decision Reference: EXE/04/0208

Full Executive

Portfolio Holder: Councillor N Williams

Context: This report recommends changing the way Members remotely access Council ICT systems and consequent changes to the way the cost of external access are dealt with

Key Decision Status: No

Decision

That all Members obtain a Broadband connection where available, or Anytime dial-up link where it is not yet available, and the costs of this be re-imbursed by the Council as shown in the report.

Explanation

The use of ICT by Members is now well established at Copeland and forms part of the Government's IEG programme.

For several years, remote access for Members to the council network has been provided by means of a dial-up link, using an 0800 number. However, this arrangement does not always provide an adequate service for Members and will have increasingly unsatisfactory as usage continues to increase and Members' needs expand. New technologies are now available that offer better remote access.

The report proposed that all Members be given the option of obtaining a Broadband connection where available (or anytime dial-up link where not available), and that the cost of a basic Broadband connection of £17.99 (or £15.99 for anytime dial-up) be re-imbursed on proof of connection.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: S Borwick – Head of Finance and Business Development
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 15	
Subject IEG 4/5 - Programme Report	
Date of Decision: 28 April 2005	Decision made by: Full Executive
Decision Reference: EXE/04/0209	

Portfolio Holder: Councillor N Williams

Context: Reports on the IEG 4/5 programme at the mid-way stage, end 2004/05 and start of 2005/06

Key Decision Status: No

Decision:

That capital allocations for the four technology projects within the e-government programme be approved.

Explanation

The current Implementing Electronic Government (IEG) programme spans the two financial years 2004/05 and 2005/06, in line with the Government's IEG4/5 programme. It is supported by IEG grant of £350,000 in 2004/05 and £150,000 in 2005/06 and aims to meet two, complimentary, Government requirements.

This report seeks approval for the following capital allocations within the e-government programme for four IEG projects and sets out details of each project:

- 1 – Customer Focus - £99,160
- 2 – Information Management Focus - £185,100
- 3 – Land and Property Gazetteer - £203,700
- 4 – Financial Focus - £33,000

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: H Mitchel – Head of Policy and Performance
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 16	
Subject : A595 Parton To Lillyhall Highway Improvements	
Date of Decision: 28 April 2005	Decision made by: Full Executive
Decision Reference: EXE/04/0210	

Portfolio Holder: Councillor H Wormstrup

Context:
This report advises Members of draft Orders issued by the Department for Transport ('DFT') in connection with the above highway improvements and considers whether any objection should be made to those Orders

Key Decision Status: No

Decision

That

- (a) the report be noted;**
- (b) the draft compulsory purchase order be strongly supported, in respect of land owned by the Council; and**
- (c) no objection be raised to the draft orders in respect of creating a new trunk road, de-trunking the old road or dealing with side road issues.**

Explanation

The Department for Transport (DFT) is supporting the A595 Parton to Lillyhall Bypass improvements. On the 28th February the DFT published draft orders in respect of the scheme. This report seeks Members comments and approval.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: M Tichford – Head of Regeneration
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 17	
Subject: 5-13 Jacktrees Road, Former Cleator Moor Co-Op Building	
Date of Decision: 28 April 2005	Decision made by:
Decision Reference: EXE/04/0211	Full Executive

Portfolio Holder: Councillor Miss E Woodburn

Context: This report provides details on the funding arrangements and financial implications for the Council in implementing the conversion and refurbishment scheme for the former Cleator Moor Co-op building

Key Decision Status: No

Decision

That

- 1. the funding required for the scheme to proceed be noted**
- 2. the total project costs as outlined in paragraph 2.1 be Incorporated into the Council's Capital Programme**

Explanation

At its meeting of 07/12/04 the Executive agreed to allocate £79,493 from the Major Projects Fund towards the additional project costs of the delivering the scheme for the conversion and refurbishment of the Cleator Moor Co-op.

Detailed project applications for funding were submitted to both NWDA and to RRC (for the ERDF component of the scheme) for grant contributions towards the scheme. Formal funding offers have now been received from both organisations which confirm the grant allocations requested.

This report updates members on the current position.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officer: M Tichford – Head of Regeneration
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Copeland Borough Council

Statement of Executive Decision

Agenda Item: 18	
Subject: Report On Asbestos Management Policy	
Date of Decision: 28 April 2005	Decision made by: Full Executive
Decision Reference: EXE/04/0212	

Portfolio Holder: Councillor N Williams

Context: This report seeks approval to a proposed Asbestos Management Policy for this council

Key Decision Status: No

Decision

That the Asbestos Policy be approved and implemented.

Explanation

The Council has a duty to deal with asbestos within the buildings that it owns under the Control of Asbestos at Work Regulations 2002, Regulation 4 – Duty to Manage Asbestos in Non-Domestic Property and new Approved Code Of Practice Guidance.

Asbestos surveys in Council owned buildings were undertaken some years ago, however changes in legislation now require a review of the approach to identifying and dealing with the substance.

For these reasons a policy has been produced to document the procedures for managing asbestos this report considers this policy.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: C Lloyd –
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Copeland Borough Council

Statement of Executive Decision

Subject: Exclusion of Press and Public	
Date of Decision: 27 January 2005	Decision made by:
Decision Reference: EXE/04/0213	Full Executive

Portfolio Holder: N/A

Context: Excludes Press and Public from Meetings for exempt items

Key Decision Status: N/A

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

Explanation
N/A

Alternative Options Considered: N/A

Interests Declared: None

Implementation Date: N/A	Publication Date: 28 January 2005	Recorded by: Tim Capper
Call-in Period Expires on: 3 February 2005	Contact Officer: Tim Capper, Principal Officer (Secretariat)	

Copeland Borough Council

Statement of Executive Decision

Agenda Item: 19	
Subject: Request for Gas Easement	
Date of Decision: 28 April 2005	Decision made by: Full Executive
Decision Reference: EXE/04/0214	

Portfolio Holder: Councillor A Holliday

Context: To consider a request for an easement to allow gas pipes to be laid through Copeland Borough Council land at Main Street St Bees to provide a gas supply to Stonehouse Cottages.

Key Decision Status: No

Decision

That a) Council be recommended to approve the granting of an easement to the applicant on terms as detailed in the report; and

b) Contract Standing Orders be reviewed with a view to delegating authority in similar cases.

Explanation

Council approval is sought for an easement to allow gas pipes to be laid through Council land at Main Street to provide gas at Stonehouse Cottages.

Alternative Options Considered: None

Interests Declared: None

Implementation Date: 9 May 2005	Publication Date: 4 May 2005	Recorded by: T Capper
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Call-in Period Expires on: 9 May 2005	Contact Officers: C A Lloyd
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