

COPELAND BOROUGH COUNCIL

FULL COUNCIL MEETING – 24 FEBRUARY 2009

Effective Leadership – Councillor Elaine Woodburn – Leader

Councillor Allan Holliday – Deputy Leader

Closure of Accounts

The audit of the 2007/08 Accounts and the post-audit amendments in relation to the 2006/07 Accounts are progressing. Accountancy Services and the Audit Commission are in daily contact and continue to meet regularly to discuss progress and actions arising. The Audit Committee, at its meeting on 6th March, will receive the Annual Governance Reports for 2006/07 and 2007/08 when the Auditor will provide his opinion on the Accounts for the two years. The Use of Resources 2007/08 report is also expected to be presented by the Audit Commission at this meeting.

Budget and Service Planning

The Resource Planning Working Group met on the 22nd and 29th January and agreed a budget proposal for Executive to consider at its meeting on the 17th February. A lot of hard work has gone into preparing the draft budget proposals and thanks should be given to the Head of Finance and Business Management and all staff and managers involved. The full proposals will be brought to the next Full Council meeting for discussion. Overview and Scrutiny Management Committee received a presentation on the budget process and the broad outline of the proposal at its meeting on 30th January. Budget options have been particularly difficult this year, against the back drop of the economic downturn and Members will need to agree savings options to be able to fund pressures identified. In the medium term, the Council will continue to examine the budget to reduce the use of reserves. The work of Scrutiny in developing the Searching for Best Value methodology is one tool which will help the Authority consider services in relation to outcomes, costs and alternatives for delivery.

Fraud Service

As at 31 December 2008, the Council's Fraud Team have already exceeded their annual target for prosecutions, administrative penalties and cautions. With a full year target of 28 sanctions, they have already achieved 29 sanctions - 8 prosecutions, 14 cautions and 7 administrative penalties. As a result of their investigations, the Fraud team have identified benefits overpayments arising from identified fraud totalling £67,253. The Revenues and Benefits Recovery team will pursue recovery of these overpayments.

The Council's Fraud team continue to work closely with the Department of Work and Pensions to carry out joint prosecutions of fraudulent claimants. To generate more referrals for investigation, Fraud Awareness talks have been given to all Copeland Direct staff, Revenues and Benefits assessors, the Recovery Team and Council Tax registration staff. There was also a Fraud

Awareness session held at Millom Council Centre. As at 31 December, the Fraud section had a caseload of 115 live investigations.

Nuclear Issues

Nuclear New Build

I was very proud to be present at the meeting of stakeholders with Gordon Brown and Energy Minister Mike O'Brien. The PM's visit coincided with the announcement by the NDA that it will be nominating land near Sellafield, Wylfa, Oldbury and Bradwell for consideration under the Government's Strategic Siting Assessment (SSA) process. The NDA made this decision in order to enhance the value of its land and in turn generate income to help fund the decommissioning programme. The PM also confirmed that the Government intended to maintain the current level of spend in the nuclear industry, news that was welcomed by all.

The NDA also intends to release to the market its significant land holdings adjacent to the Sellafield site as part of a land disposal process announced last year. Market feedback indicates there is potential interest in this land for a variety of reasons including new build.

The sale of the land at Bradwell, Oldbury and Wylfa will precede that for Sellafield and is expected to be completed before the end of March. Learning for this process the NDA is then expected to offer the sale of land at Sellafield closely afterwards.

Discussions with capable nuclear power operators, required for nomination case support, continue and even though these are commercially sensitive it would be fair to say they are very positive.

A meeting has also been held with the Wylfa new build team to share progress and to discuss the possible synergies in grid transmission options.

The PM being at Sellafield when this announcement was made gave out a very positive message that Government recognise the skills, knowledge and positive community here in Copeland and that Sellafield has a role to play in the nuclear new build programme. He summed it up in one sentence

“ Sellafield has got a great history and at the same time it has a great future”

Evaporator D Update

Sellafield Ltd has received additional funding of £50million from the NDA to support the continued delivery of the Evaporator D project.

Evaporator D will play an important role in the reduction of Highly Active Liquid Waste at Sellafield and is necessary to support future reprocessing operations on the site. It is one of a suite of projects at Sellafield which also

includes replacement Highly Active Storage Tanks and additional evaporative capacity.

The funding will enable the Evaporator D project to start physical on-site works, namely the foundations for the new facility, to commence placement of contracts with the supply chain for material provision and fabrication of the plant equipment and to continue with detailed design.

Sellafield Socio Economic Plan Consultation

Sellafield is currently carrying out a consultation on its 09/10 socio economic plan which now follows the ethos of the NDA's socio economic vision which is "To support the creation of dynamic, sustainable local economies for communities living near its sites" There is a strong move within the plan to align the Sellafield funds with those of the NDA and NMP all aimed towards the Energy Coast Master Plan. Though they intend to carry on funding some of their long time commitments, West Cumbria Development Fund, Cumbria Community Foundation, Educational Programme until there is a proven delivery body in place, but it is anticipated that by 2010/11 80% of their budget will be made available to support the Master Plan.

A presentation will be made to the Nuclear Working Group before we make our formal response to the plan.

NDA Business Plan

The NDA recently consulted on its 2009-12 Business Plan, the plan cites six principal objectives, these being

1. encourage the highest standards in health, safety, security and environmental performance
2. deliver hazard and risk reduction
3. progress decommissioning and clean-up
4. maximise commercial value from existing assets and operations
5. ensure safe and secure management of radioactive waste and materials
6. identify opportunities for reducing liabilities

Secondary objectives are:-

1. provide socio-economic support and development
2. deliver skills, research and development and supply chain development

To enable them to deliver their objectives effectively they will:-

1. compete the management of their sites
2. control costs and drive efficiency

Though the Council welcomed the opportunity to comment on the plan there were areas of concern. The response is available on request and a copy is placed in the Members room.

Health in Copeland

A public health lecture titled "Health in Copeland" was recently given by Professor John Ashton which highlighted the five challenges facing Cumbria and Copeland.

(I) Demographic challenge – The most recent population projections show that by 2009 Cumbria's population is expected to grow by 7%, however the growth will not be evenly distributed across the County. What is particularly worrying is that in Copeland people aged under 65 is predicted to decrease by almost 4000. If these predictions become a reality then Cumbria will have a greater population of over 65's than the national average.

(II) Inequalities in health – Despite unprecedented increases in standards of living across Cumbria the increases have not been experienced across Cumbria. As a whole the County is showing improvements in health inequalities but the best Districts are improving at a much faster rate than others, including Copeland.

(III) – Re-orientating health and social care services to be closer to home – The driver behind this is to move care from large institutional settings towards strong and flexible primary and community care near to where they live. Focus can be too much on peoples individual risks and behaviours when the social, economic and environmental conditions in which behaviours can be shaped can be much more relevant.

The health and well being agenda implies that organisations should work together to ensure the people of Copeland have a good start in life and the opportunity to realise their dreams and enjoy good health.

In Cumbria the re-designing of the health service is focussing on "Pathways" but it is essential that this work is informed by good data and intelligence.

The era we are now entering will involve re-empowering individuals, their families, in fact all to make informed choices about their own health needs.

(IV) – A health system based on good intelligence – The data presently being collated under the Quality Outcome Framework should be the beginning of a proper intelligence system for planning a Closer to Homes model of health care.

(V) – Building Capacity – Promoting and maintaining health is a partnership at every level. For individuals, families, within neighbourhoods and communities, basically health is the responsibility of us all.

The lecture I found to be very informative and demonstrated that there are a lot of organisations throughout Copeland, including ourselves who are working on improving the health and well being of our communities.

West Cumberland Hospital

If I am to believe the local press then the preferred site for the new hospital is the existing hospital location, and at the time of writing the report this is all I have to go on. The Acute Trust meeting that was due to be held to discuss this was cancelled due to the bad weather, but if possible I will give a verbal update. We have submitted our report on the two sites which include the options for the hospital itself and the options for the health campus.

The Hensingham site summary :-

- Site footprint sufficient to support new hospital development with flexibility
- Adjacency to existing Acute hospital supports modular development and decanting
- Releases existing Acute hospital site to support wider health service development
- Proximity to Whitehaven Town supports opportunities for utilising existing GP's and existing health services in a strategic manner
- Acceptability by local community of hospital operations
- Site within current NHS ownership
- Minimal infrastructure improvements required to access the site
- Utilities available to existing site reduce servicing requirements
- Designated land supply available to support health campus development
- Potential for land receipts/capital generation through relinquishing of current site
- Accessible A595 access link allowing access to West Cumbria
- Potential provision of Eastern relief road will enhance accessibility to the site
- Good access to Whitehaven for wider services to support staff/visitors
- Proximity to Westlakes Science Park provides opportunities for research and business development.

As you can see the existing site is more than adequate for the new hospital.

Achieving Transformation - Councillor Cath Giel - Deputy Leader

Councillor Norman Williams - Portfolio Holder

Regeneration

Pow Beck

The development of the Pow Beck Valley is a major project within the Whitehaven Regeneration Programme. There is continued stakeholder interest in the Pow Beck Valley Sports Village concept which is a major project within the Whitehaven Regeneration Programme. The Sports Village concept is gathering momentum nationally and we have formally expressed our interest through Cumbria Vision to Sport England and NWDA for Pow Beck Valley which has the capacity and capability for Sports Village status.

The current development activity focus is on the Stadium and its key stakeholders. A design concept for a Community Stadium along with a viability appraisal has been produced by consultants funded by West Lakes Renaissance and a preferred delivery option is being discussed by key stakeholders.

In support of the wider development:

- 1 Copeland Borough Council Executive are being requested to agree compulsory purchase arrangements, if they are needed, for three plots of land at the site to enable the Stadium and Sports Village development to progress;
- 2 Ongoing discussions are taking place with the key stadium stakeholders to progress the preferred approach for the stadium;
- 3 Japanese Knotweed on the site will be included in the council's eradication programme, funded by WLR;
- 4 The Coach Road Improvements final report was received in September 2008. The recommendations will still be valid regardless of the final proposed development. The main issues relate to the drainage problems due to inadequacy of the combined sewer to cope with high surface water flows causing subsequent flooding. The study suggests potential solutions but these will require further examination and development.
- 5 The Pow Beck Valley SPD (Supplementary Planning Document) was adopted by the Council in Jan 2008. Its purpose is to inform developers and other interested parties of the constraints and opportunities presented by the site in accordance with current planning policy and to indicate the type of development expected by the Council. It forms part of our current Local Plan and developing Local Development Framework;

- 6 Pow Beck Gardens potential housing development is currently on hold due to the fragility of the market identified through a procurement activity for the site. All media enquiries are being directed to WLR's PR officer.

Albion Square

Copeland Borough Council have been working closely with West Lakes Renaissance in investigating the viability of a commercial development and independent baselines and studies have now been completed. The Council has set a priority to bringing more jobs into the town to increase vitality and footfall for local retail and services. The development is seen as a viable initiative and has been included within the Stage 1 bid for Townscape Heritage Initiative boundaries. The Executive are being asked in February to agree to Compulsory purchase powers being used, if necessary, to move the development forward in support of the wider Energy Coast Masterplan and the regeneration plans for Whitehaven Town.

Whitehaven Civic Quarter

Public consultation, led by our cultural team, is underway on the design concept for the above public realm works. This has included stalls and exhibition within the Civic Hall, opportunities to talk with staff on the proposals and surveys for people to fill in. Early indications are of positive feedback on the proposals for the physical and lighting improvements and potential future events and activities. A summary of the consultation outcome will be made available in the members room once completed.

Millom

A range of activities have taken place in support of enabling continued developments in Millom:

The final report on the 3 year initiative has been sent to the core funder, NWDA. Millom and Haverigg Economic Development Group (MHEDG) have asked Council officers to present this to the Millom Town Council and we are awaiting a date. Discussions are underway to hold a learning event on the MTI schemes in the borough. Many of the projects within the MTI are being carried forward and sustained. A number are now within the Forward strategy of MHEDG. The Gateways project is now going out to consultation in support of a bid to obtain external regeneration funding to move to detailed design and implementation.

Locality Working

The consultation phase with Parish and Town Councils across the borough is being planned and delivered for February and March 2009. We will also hold a number of further consultation events with Copeland Borough Councillors to enable further discussions. The two proposed pilot areas for locality board governance and plan development, ie North East and Mid Copeland, if confirmed through this consultation process will begin in the new financial year.

Worklessness

We are currently working on three key strands:

- 1 Setting out our draft strategy and priorities for discussion with partners in support of Copeland specific action;
- 2 Working across West Cumbria to facilitate an overview of existing provision and activities to identify a West Cumbrian Worklessness Action Plan;
- 3 Move to commissioning for the implementation of the Phase 2 North West Coalfields Programme Action Plan for Copeland and Allerdale. This Plan will continue to be responsive to the changing economic context and will be monitored and evaluated on a regular basis to enable this.

Full council is recommended to endorse the attached North West Coalfield Community Regeneration Programme Phase 2 Action Plan core priorities and targeted activity areas.

Strategic Planning Policy

The Council's Local Development Framework (LDF) Working Party met on 21st January 2008 and its agenda included the following items:

- The Annual Monitoring Report, submitted to government at the end of December and which is now available on the Council's web-site. It includes a wide range of statistical information about the state of the Borough and assessments of progress in implementing the Local Plan and in developing the LDF;
- A report outlining the results of visioning exercises carried out as part of the internal and external stakeholder events held on 26th November 2008;
- A draft paper on Core Strategy Vision/Objectives/Issues and Options. This will now be worked up in greater detail to go out to public consultation during April/May 2009. Further stakeholder events will be held during the consultation period;

- A presentation of key findings to be incorporated in the Sustainability Appraisal Scoping Report. The Scoping Report was subsequently completed and sent out to environmental bodies as required by the regulations. This is an essential component of the LDF process and keeps us on track with the timetable set out in our Local Development Scheme approved by Full Council last December.
- Progress is being made with the studies making up the LDF Evidence Base. The Employment Land Review was completed during January 2009 and the Retail Study is due in February 2009. Both will shortly be available on the Council's web-site. The Strategic Housing Land Availability and Market studies are in development and drafts should be available in April 2009.

Regeneration of Cleator Moor Town Square

Following Copeland Borough Council's Executive commitment at their December 2009 meeting to progress work to develop and improve the Council Centre in Cleator Moor, both the Regeneration North East Copeland (RNEC) Board and Cleator Moor Town Council have now formally given their support. The Executive recommended that Copeland Borough Council take forward the possibility of a joint management arrangement being negotiated and agreed for the three public buildings on the square to enable a greater co-ordination of services to be offered. This recommendation was based on the understanding that such a commitment would also be sought from the Town Council and County Council as the owners of the other two public buildings on the square. Cleator Moor Town Council has now given their commitment to working with Copeland Borough Council to enhance the square.

The Beacon

Staffing

After almost a year without a Curator, The Beacon finally welcomes Charlotte Stead onto the team. Charlotte's duties include looking after Copeland's museum collection, accepting new artefact donations, public research enquiries, photographic requests and Harbour Gallery exhibitions. Charlotte has moved to Cumbria from Lancashire where she worked with the maritime and social history collections at Lancashire Museums. Previously Charlotte worked as Assistant Curator at Merseyside Maritime Museum and so is looking forward to working with the museum collection.

On 22nd December, a new restaurant opened in Whitehaven. The Wellington Bistro is on the ground floor of the Beacon and is a family run venture which includes two chefs with over 30 years experience between them. The 5 course Christmas Day lunch was delicious and every seat was taken during Boxing Day. As well as providing a daily service every day The Beacon is open, evening dining is also available Thursdays, Fridays and Saturdays, 6-9pm. A café service had previously been provided by North Country Leisure and then by Beacon staff themselves

Development Control - Planning

Nick Hayhurst has been appointed as Senior Development Control Officer and will join us in April. He will be responsible for the determination of major planning applications across the District and will assist in sustaining the strong performance of the team. He joins us from South Lakeland District Council where he is presently an Area Team Leader.

Development Control - Performance

Development Control Performance remains consistently high with top quartile performance being achieved in respect of the determination of all three categories of planning applications via "major", "minor" and "other" as at 31 December 2008.

	3 rd Quarter (Oct-Dec)	Cumulative (April-Dec)
PI 157(a) (formerly 109a) Major planning applications dealt with < 13 weeks Target is 60% Top quartile is 80.71%	60% (3 out of 5) *	83.33% (15 out of 18)
PI 157(b) (formerly 109b) Minor planning applications dealt with < 8 weeks Target is 65% Top quartile is 83.66%	88.1% (37 out of 42)	84.34% (140 out of 166)
PI 157(c) (formerly 109c) Other planning applications dealt with < 8 weeks Target is 80% Top quartile is 92.56%	89.71% (61 out of 68)	93.25% (235 out of 252)

*comprises 2 out of 2 "largescale" majors and 1 out of 3 "smallscale" majors.

The percentage of planning appeals allowed is a local rather than a national performance indicator. As at 31 December 2008, 71% (5 out of 7) appeals have been allowed against a target of 25%. This includes Pica Windfarm and Fleatham House St Bees, both applications having been refused contrary to officer recommendation but subsequently allowed on appeal. Caution however should be applied to the statistical significance of such a low number of appeal decisions.

A recent SPARSE development control analysis compared Copeland against other rural authorities in terms of the progress of the service in the period 2007/8 and 2006/7. This indicates a very strong and positive direction of travel for the service (9th out of 122) and 52nd in terms of overall performance. This demonstrates the ongoing and significant improvements in the Development Control Function, a great team effort between officers and elected Members. Copies of the full report are available in the Members room.

Conservation Specialist Advice

The Contracts section has assisted Development Control in inviting tenders and preparing contracts for conservation services to support the section, tenders were received on 4th February. It is anticipated that this resource will be in place by the end of February.

Property Projects

Tenders have been invited for Refurbishment of Phoenix Court Phase 2. This project value is approx. £935,000 and will refurbish the interior of the building creating more attractive workshops and entrance and circulation layouts. The funding bid will be sent to the North West Development Agency by 6th February. The project is fully externally funded including support from the West Cumbria Development Fund.

The feasibility stage of the project to renew the Cremators at the crematorium is progressing with a report to be taken to Executive shortly.

Consultants have confirmed final stage of proposals for dealing with a mineshaft discovered in the Chapel Street car park Egremont, a report on this will be taken to Executive shortly.

Procurement

The pilot stage of implementing the IDeA marketplace procurement portal has started, the necessary links with the financial management system have been agreed, existing suppliers are being contacted to advise of developments. Progress is being made with the first three Council sections Building Control, Development Control and the Beacon. Target date for these departments to go live is April; the remainder of Council departments will be enabled over the next 12 months.

A report has been taken to the CEIP group meeting in January 2009 on options for further developing and formalising the shared Procurement service for the 7 Cumbria authorities. Details of the decision are awaited.

Customer Services

It is pleasing to report that a reduction in costs has resulted in an improvement in the service we deliver to our customers, this has been the case for the new customer relationship management system we introduced last year.

Having seen an immediate increase in the number of calls we were able to answer from 85% to 95%, we continue to average a 95% answer rate for the year from April 08 to date. This obviously means that we have drastically reduced the amount of callers that are unable to get through to the Council and the abandoned call rate has reduced by 10%. And the calls that we answer we do so on average in less than 30 seconds.

We are also able to deal with the calls much more effectively and efficiently with average call times reducing by a minute.

The system also has other advantages particularly in respect of business continuity as the system is no longer directly linked to the telephony system. This means if the network is not available for any reason we can still answer the calls from our customers.

We are still looking to further improve this performance and we have some busy times ahead.

RECOMMENDATIONS TO COUNCIL

Compulsory Purchase Order - Land at Albion Street, Whitehaven

10 February 2009

EXE/08/0122

Portfolio Holder: Councillor C Giel

Decision:

That:

- (a) The current position on the Project be noted;
- (b) That authority be delegated to the Head of Development Strategy in consultation with the Portfolio Holder for Regeneration to secure satisfactory funding from West Lakes Renaissance or other grant funders to enable the Project to proceed;
- (c) That authority be delegated to the Head of Development Strategy to procure, subject to (b) above being in place, the services of appropriate consultants to deliver the Project such consultants initially being procured for pre-Inquiry advice, and, in the event of objections to a compulsory purchase order being made, for dealing with matters subsequent to receipt of objections including, if necessary, attendance at an Inquiry;
- (d) That, in respect of matters not already delegated to officers by contract standing order 21, Council be recommended to delegate

authority to the Head of Development Strategy to negotiate terms for the acquisition of the land referred to in recommendation (e) with the approval of any proposed terms being delegated to such officer in consultation with the Portfolio Holder for Regeneration, the Head of Finance and Management Information Systems and the Head of Legal and Democratic Services;

(e) That a recommendation be made to Council that in respect of the Project that those areas of land within the area shown hatched on the attached plan at Appendix 1 (excluding the area cross-hatched) not already within the ownership of the Council together with any rights affecting land already in the Council's ownership which may prevent the Project from proceeding be acquired compulsorily under section 226 (1) (a) of the Town and Country Planning Act 1990 (as amended) to facilitate the carrying out of development, redevelopment or improvement on or in relation to the said land and that a Compulsory Purchase Order be made and titled the Copeland Borough Council (Land at Albion Street, Whitehaven) Compulsory Purchase Order 2009; and

(f) That authority be delegated to the Head of Development Strategy to carry out all necessary steps to secure the confirmation and implementation of the Order referred to in (e) above.

(See Executive Report Appendix "A")

Compulsory Purchase Order - Pow Beck Sports Valley

10 February 2009

EXE/08/0123

Portfolio Holder: Councillor C Giel

Decision:

That:

- (a) The current position on the project be noted;
- (b) That authority be delegated to the Head of Development Strategy to secure satisfactory funding from West Lakes Renaissance and other grant funders to enable the Project to proceed;
- (c) That authority be delegated to the Head of Development Strategy to procure, subject to (b) above being in place, the services of appropriate consultants to deliver the Project such consultants initially being procured for pre-Inquiry advice, and, in the event of objections to a compulsory purchase order being made, for dealing with matters subsequent to receipt of objections including, if necessary, attendance at an Inquiry;

(d) That, in respect of matters not already delegated to officers by contract standing order 21, Council be recommended to delegate authority to the Head of Development Strategy to negotiate terms for the acquisition of the land referred to in recommendation (e) with the approval of any proposed terms being delegated to such officer in consultation with the Portfolio Holders for Regeneration, the Head of Finance and Management Information Systems and the Head of Legal and Democratic Services;

(e) That a recommendation be made to Council that in respect of the Project that those areas of land shown hatched on the plan attached to the report and marked A, B and C be acquired compulsorily under section 226 (1) (a) of the Town and Country Planning Act 1990 (as amended) to facilitate the carrying out of development, redevelopment or improvement of the land and that a Compulsory Purchase Order be made and titled the Copeland Borough Council (Land at Pow Beck, Whitehaven) Compulsory Purchase Order 2009; and

(f) That authority be delegated to the Head of Development Strategy to carry out all necessary steps to secure the confirmation and implementation of the Order referred to in (e) above.

(See Executive Report Appendix "B")

Promoting Prosperity – Councillor George Clements Deputy Leader

Councillor Geoff Blackwell - Portfolio Holder

Councillor Hugh Branney - Portfolio Holder

Leisure and Environmental Services

Big Lottery Play Initiative

Members will recall that in 2007 Copeland Borough Council was awarded £200,000 of funding by the Big Lottery, to support sustainable community play provision across the Borough.

Following a lengthy consultation and application process five community based play schemes were selected on the basis that they had poor existing play provision and the sites being strategically chosen to maximise their impact in providing play opportunities for young people.

I am please to report to members that in 2008 the Hensingham children's play area and a youth MUGA (Multi-use games area) was completed and opened by the Copeland's MP Jamie Reed, and both facilities are proving to be very popular with the young people of Hensingham. I can also report that in Gosforth a new youth MUGA (multi use games area) is under construction and will be fully completed and open by the end of February.

In 2009 we will see a further two community play facilities installed, one in Cleator Moor and one in Egremont.

The fifth play scheme, the Seascale Bike Park may also be completed during 2009, if the community group can demonstrate it is meeting the Big Lottery funding criteria, otherwise this scheme is planned to be completed in 2010.

The installation of all the play and youth facilities have been strongly supported by their local communities and with support of the councils Parks Development Officer, local constituted community groups have been formed to manage the future maintenance and care of the facilities.

Distington Crematorium – Chapel Refurbishment

Following discussions with the Crematorium Liaison Group, which is made up of representatives from the Clergy, Funeral Directors and the Council, a request was raised and supported to improve the internal appearance of the Crematorium Chapel.

The Chapel is visited by nearly 1000 people each day attending services to bereaved loved ones.

In partnership with the Council's Contract and Projects Team, funding was identified and secured to support the request for improvements to the Chapel.

Discussions are ongoing with the liaison group on how best to improve the Chapel, with a programme of works identified consisting of:

- Improving the quality of the Chapel lighting and ceiling.
- To provide and lay a carpet in the Chapel.
- To remove the benches and replace with seating.
- To paint the internal walls.

The programme of works will not only address the issue of improving the chapel's appearance, they will also assist with reducing the crematorium's carbon footprint and make the chapel easier for people with disabilities to access.

To complete the planned improvements will mean the Crematorium chapel may need to be closed to public use on occasions; however the work requirements are being planned to keep the closure and service disruption to a minimum.

The programme of works is expected to start at the end of February and be completed by end of March.

Environmental Cleansing Services Review

The Waste Team have been working with the Process Improvement team since last summer to review all of the current activities carried out by the Environmental Cleansing team. The service has not been reviewed for some time and the main aim is therefore to update the service to ensure it is fit for current purpose and operating in the most cost effective manner.

The project team are making use of GIS technology, which is expected to result in improved information being available on service standards both for residents and for Copeland Direct. GIS mapping is also being used to identify fly-tipping 'hot-spots' and other cleansing related problem areas so that resources can be allocated appropriately.

Having spent the last 6 months on data collection, the project team are now evaluating the information gathered to develop an action plan to be implemented in 2009/10. The team are particularly looking at the potential for aligning 'area based' cleansing teams with the locality areas in the Borough.

Food Safety Inspections – Star Rating System

The star rating system for food premises continues to go from strength to strength, providing the public with confidence that food premises are inspected and assisting business attain high standards.

The results of an individual food safety inspection are published as a star rating certificate to display at the premise and on the website www.scoresondoors.co.uk.

The star-rating scheme using the national risk-rating scheme for food inspections publicises the high standards of many Copeland food businesses

and provides the public with information on the conditions at the time of inspection.

The food safety team will be supporting Copeland food businesses through information and advice during inspections and information events to maintain their 5★ (excellent) and 4★ (very good) star ratings or improve from 3★(good), 2★(fair), 1★ (poor) and 0★(very poor) ratings.

This work supports and contributes to National Indicator NI 182 – level of food premises, which “broadly comply” with food safety legislation (have a 3★ or higher rating) – the indicator requires inspection resources to be targeted at the premises not complying with food safety legislation.

Food safety risk ratings and star ratings reflect the conditions at the time of inspection and can vary from inspection to inspection due to a range of reasons from change of management, loss of trained/experienced staff, deterioration of structure, lack of cleaning. Currently within Copeland there are:

10 - 5★ food premises
178 - 4★ food premises
153 - 3★ premises
47 - 2★ premises
2 - 1★ premises
5 - 0★ premises

48 food premises such as chemists and sweet shops which when inspected had very limited to no handling of food – these are low risk food premises which after the initial inspection are inspected on a reduced frequency and for the star rating are not compared with premises handling open foods.

Pitt Review - Flooding

The recommendations of the Pitt Review of floods across the Country in the summer of 2007 were published in late December 2008. The 92 recommendations cover many areas, from improvements to weather forecasting systems to encouraging community involvement with an overall aim of ensuring that arrangements and systems are in place – before, during and after an event happens.

Copeland has always recognised the importance of managing risks from flooding and has worked in partnership with County Emergency Planning, Environment Agency and United Utilities (Water and Sewage Company) and will continue this partnership to develop with these agencies an action plan which will initially as required by the Pitt Review cover the following key areas:

- Assess and build technical capacity
- Build partnerships with other agencies (strong partnerships exist - will continue)
- Complete Strategic flood risk assessments (assessment complete)
- Set in place arrangements for understanding and managing local flood risks from all sources (existing arrangements to continue - work plan to

- include ownership of watercourses/condition of systems/any legal responsibility with ownership
- Develop surface water management plans in high priority areas where funding is available (Copeland not one of first six areas identified as high risk)
 - County & Unitary authorities as designated lead authorities to detail approach and partnership working

Flood risk management will ensure that flood risk from all sources including surface water run off, groundwater and ordinary watercourses is identified and managed as part of locally agreed work programmes within Copeland and with other agencies.

The Floods and Water Bill which is due to be published for a Spring 2009 consultation will provide the legal support and detail for some of the Pitt Review recommendations.

The transfer of responsibilities for private sewers that drain into public sewers to statutory water and sewage companies (United Utilities for Copeland) is intended to take place from April 2011.

Housing Services

Strategic Housing Panel received a report on 26 January describing how the housing service learns from customer feedback, comments and complaints, including future monitoring reports for members. The first draft of a corporate strategy for addressing domestic fuel poverty was also reported. This is a substantial piece of work in progress, with current estimates indicating around 25% of households in the Borough spending more than 10% of their income on maintaining an adequate level of warmth.

In partnership with Shelter (Cumbria), the Carlisle Law Centre have begun providing a "duty solicitor" desk at Whitehaven County Court on the days when housing repossession cases are listed. The funding for this initiative has come from the Legal Services Commission.

Following publication of the Audit Commission's inspection last year, the housing service has been restructured and is working towards a re-inspection scheduled for September 2009. The Audit Commission provided us with 3 days consultancy last month at no additional cost. Their feedback on 30 January, which was informal, listed the current strengths and weaknesses the inspectors found.

This will be reported to the Strategic Housing Panel on 27 February 2009. In summary, our strengths now outnumber our weaknesses by a ratio of 3:2 and inspectors noted the acceleration of our improvement following the recruitment and training of a substantially new team. There is much more to do but present indications are that the housing service is moving in a positive direction.

RECOMMENDATION TO COUNCIL

Appointment of Proper Officer

27 January 2009

EXE/08/0112

Portfolio Holder: Councillor G Clements

Decision

That Council be recommended to approve

- a) **the appointment of seven consultant level staff of Cumbria and Lancashire Health Protection Unit named in the report as Proper Officers under Public Health (Control of Diseases) Act 1984; and**
- b) **that the specified named staff of Cumbria Primary Care Trust be appointed as the Proper Officers under National Assistance Act 1948**

NW Coalfield Communities Regeneration Programme Phase 2

Allerdale & Copeland Targeted Activity Areas

<p>Meets Activity Objectives: 1, 2 & 4</p>	<p>Developing Intermediate Labour Market Opportunities</p>
<p>Brief Activity/are a of work description</p>	<p>Independent research by Genecon clearly showed that for many workless people there is the need to provide intensive support in order to assist them back into work, given that many will struggle to attain work because employers would not consider them for positions due to their lack of work history. For many, there is the need to gain some credible work experience in order to stand a chance of getting a permanent job. An intermediate labour market-type approach is one way that can be achieved and that we wish to address through this tender</p> <p>ILM schemes offer significant opportunity for employment which can up-skill local people to enable them to access these opportunities. Provision of a 'bridge to work' will help people move back into permanent employment by providing them with new skills through job training, delivery of formal training and work experience. It will seek to plug the demand for jobs by up-skilling people in order to prepare them for employment within semi-skilled construction and related professions for example.</p> <p>The main aim is to give those in Copeland and Allerdale who are most removed from the labour market a bridge back to the world of work by improving participants' general employability. It is expected that ILM priority opportunities will be provided in 'some' of the following priority areas. All opportunities are waged, using coalfields funding, and relevant training is given as is support in finding permanent employment</p> <p>Construction Work placements opportunities where unemployed clients develop a wide range of skills which are useful to local companies in the construction field. In this way, previously unemployed participants can get the necessary experience and appropriate training they need in order to apply for jobs in the sector</p> <p>Childcare and elderly care Opportunities that provide relevant training and practical hands on experience in supporting children's physical development needs Also opportunities for those wishing to work with older people providing the chance to assist care staff in delivering a range of day-care services and opportunities</p> <p>Retail Opportunities within the retail sector including charity shops which gives experience in working with customers, displaying goods and dealing with money.</p>

	<p>Horticulture/conservation/environment Opportunities that exist in amenity horticulture or conservation work, working with parks rangers or parks maintenance teams on Public Rights of Way, energy efficient improvements and countryside management activities. This could include training in areas such as pesticide use or health and safety. Opportunities for a more office based route to gain experience in areas such as waste or energy management, environmental promotion and general administration.</p> <p>Business Administration / ICT Office based opportunities which are most appropriate to the client's skill level. Opportunities could range from working in community centres to working in housing associations</p> <p>Opportunities that arise in other sectors in West Cumbria such as Leisure, Tourism, Cultural Heritage, etc</p>
Budget	In the region of £400k over the duration of the North West Coalfield Communities Regeneration Programme, of which 50% (approx £200k) is NWCCRP funding
Spatial Targeting	There will be a requirement to focus activity in the NWCCRP target wards / SOAs) for Copeland and Allerdale. These wards are currently:
Targets	Outputs: 1. Jobs created or safeguarded : = 2. People helped to secure employment, education or training = 150 3. People assisted in their skills development = 200 4. Businesses created = n/a 5. Number of Businesses Assisted = 20 6. Public and private leverage = £200,000 7. Brownfield Land reclaimed. = n/a 8. New or upgraded floorspace = n/a 9. Public Realm created or improved = n/a 10. Number of visitors attracted = n/a 11. Economic Impact from major events and tourism marketing = n/a 12. Tonnes of carbon dioxide generated = n/a 13. Environmental Businesses supported = n/a 14. Environmental Products Supported. = n/a

<p>Activity Objective 1 & 2</p>	<p>Tackling Barriers in hard to reach areas through delivery of smaller grassroots interventions.</p>	
<p>Activity rationale and description of potential delivery methods</p>	<p>In Allerdale and Copeland it has been identified that some mainstream programmes 'miss out' the real hard to reach people. The loss of smaller grassroots interventions and delivery through regional organisations results in a lack of trust in many of the disadvantaged communities and failure to engage many people.</p> <p>Many people face barriers to employment and having no qualifications or skills is perhaps the most significant factor in unemployment. There is also a strong correlation between the existence of low aspirations, a lack of confidence and self-esteem and a lack of successful role models from target communities to promote and encourage change as a realistic option. It has also been identified that due to the parochial nature of many disadvantaged communities residents are unwilling to travel outside their immediate community to access skills, business support, training and advice. A further barrier to new opportunities, in particular for women, is the lack of accessible and affordable childcare provision.</p> <p>Support is required through a range of the following activities to address / remove barriers associated with improving lives in hard to reach areas.</p> <p>Outreach Beneficiary Engagement Activities</p> <p>Flexible front end beneficiary activities are required, especially where individuals are experiencing multiple barriers in accessing mainstream support. Interventions will be client centred and require the integration of services from a range of providers. They will also be able to adjust to local context and circumstances. A range of support is required to meet specific needs as the individual makes their journey towards employment, business start up or other fundamental changes in their life. Contact with potential clients will be via outreach services in familiar local venues. The types of barriers that have been identified include: inherited worklessness; lack for formal education, youth spent in care, in trouble with authorities, leading to educational difficulties, literacy and/or numeracy problems, dyslexia. These challenges often result in them not wishing to, or lacking confidence to engage with the mainstream support on offer.</p> <p>Mentoring Activities</p>	<p>£330,000 * 3 years</p>

	<p>Activities providing support, life skills and employment readiness training to targeted disadvantaged individuals through a mentoring programme using volunteers. Mentors will act as positive role models to raise aspiration and achievement in young people and adults from areas of deprivation and hard to reach groups.</p> <p>Mobile Activities</p> <p>Mobile job brokerage facilities, e.g. bus, linking workless residents with employers in targeted areas.</p> <p>Volunteer Programme Activities</p> <p>A Volunteer Programmes providing structured work experiences leading to increased confidence, accredited qualifications and general life skills in preparation for people returning to work.</p> <p>Links to Mainstream Activity (overarching focus)</p> <p>Activities will focus on residents in the Coalfields wards who do not traditionally access mainstream services; they will be supported to enable them to move forward into volunteering activity, employment, self employment, training or mainstream support as appropriate. The offer will not duplicate the current mainstream offer, but will seek to ensure maximum uptake of their activity thus giving added value.</p>	<p>£90,000 *3 years</p> <p>£45,000 *3 years</p> <p>£300,000 * 3 years</p>
Budget	£765,000 of which Coalfields element is £382,500	

Spatial Targeting	There will be a requirement to focus activity in the NWCCR target wards / SOAs) for Copeland and Allerdale	
Target/Outputs	<p>Outputs:</p> <ol style="list-style-type: none"> 1. Jobs created or safeguarded : = 0 2. People helped to secure employment, education or training = 90 3. People assisted in their skills development = 85 4. Businesses created = N/A 5. Number of Businesses Assisted = N/A 6. Public and private leverage = £382,500 7. Brownfield Land reclaimed. -= N/A 8. New or upgraded floorspace = N/A 9. Public Realm created or improved = N/A 10. Number of visitors attracted = N/A 11. Economic Impact from major events and tourism marketing = N/A 12. Tonnes of carbon dioxide generated = N/A 13. Environmental Businesses supported = N/A 14. Environmental Products Supported. = N/A 	

Activity Objective 1 & 2	Engaging Incapacity Benefit Claimants	
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<p>Activity rationale and description of potential delivery methods</p>	<p>In Allerdale and Copeland there are very high numbers of incapacity benefit claimants compared to nationally and as a consequence there is the need to focus on specific groups of individuals. Key issues arise from the problems associated with trying to engage effectively with incapacity benefit claimants – restricted by data protection act, which makes it difficult to identify incapacity benefit claimants. There is undoubtedly the potential for a significant decrease in the numbers of people claiming incapacity benefits.</p> <p>The overall ambition of this activity / area of work is to contribute towards social inclusion by delivering a range of activities that will help individuals currently claiming incapacity benefits, especially long term IB claimants (6 months or longer). The aim is that the following type of activities will assist beneficiaries in enhancing their health, gain the skills and underpinning knowledge to improve their life chances and gain employment. It is also intended that all activity will have clear links into mainstream activity where appropriate and that it would provide additionality rather than duplication.</p> <p>This activity/area of work is expected to have a dual approach:</p> <ul style="list-style-type: none"> • Training, rehabilitation, advice and re-motivation • Economic regeneration in IB concentrated areas <p>Activities focusing around Health Activity delivering accessible therapeutic programmes for IB Claimants based on key symptoms suffered by this group. These are identified as mental/behavioural disorders, depression, anxiety, neuroses, muscular-skeletal disorders (mostly neck/back pain), circulatory or respiratory disorders. The aim of the activity is for patients to understand the relationship between mental and emotional stress and adverse physical symptoms and are equipped with the skills to manage stress more effectively. The end result is that they enjoy significant improvements to their mental and physical health and well-being</p> <p>Activities focusing around Lone Parents The IB problem can be linked with the need to</p>	<p>£450,000 * 3 years</p>
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	<p>ensure that claimants are provided with the skills to enable them get work. The main barriers lone parents face is child care and the issue of ensuring that they are better off and not poorer by working. is able to help lone parents with 1 or 2 children under 12 by providing childcare. The situation becomes more complex when they have 3 or more children because of the lack of affordable childcare.</p> <p>Activities focusing around Community Outreach</p> <p>Activities providing community outreach, targeting IB recipients who have not traditionally engaged with any mainstream activity. The focus is an integrated range of support including that of condition management, confidence building, generic employability skills, basic skills support, job preparation training, job-search activities and post employment support where necessary.</p> <p>Transitional Activities</p> <p>Transitional activities such as the provision of Qualifications, work tasters & motivational activities all with a high level of support, advice & guidance combine to build confidence to help primarily Incapacity Benefit, Lone Parents and Older Customers (50+) manage the transition to work.</p> <p>Links to Mainstream Activity (overarching focus)</p> <p>Activities will focus on residents in the Coalfields wards who do not traditionally access mainstream services; they will be supported to enable them to move forward into volunteering activity, employment, self employment, training or mainstream support as appropriate. The offer will not duplicate the current mainstream offer, but will seek to ensure maximum uptake of their activity thus giving added value.</p>	<p>£210,000 * 3 years</p> <p>£160,000 * 3 Years</p>
Budget	£820,000 over 3 years of which the Coalfields element will be £410,000	
Spatial Targeting	There will be a requirement to focus activity in the NWCCRP target wards / SOAs) for Copeland and Allerdale	
Target/Outputs	<p>Targets:</p> <ul style="list-style-type: none"> • People on IB engaged = 180 • IB Claimants to access further learning = 60 	

	<ul style="list-style-type: none"> • IB claimants into jobs = 90 <p>1(a Outputs:</p> <ol style="list-style-type: none"> 1. Jobs created or safeguarded : = 0 2. People helped to secure employment, education or training = 180 3. People assisted in their skills development = 110 4. Businesses created = N/A 5. Number of Businesses Assisted = N/A 6. Public and private leverage = £410,000 7. Brownfield Land reclaimed. = N/A 8. New or upgraded floorspace = N/A 9. Public Realm created or improved = N/A 10. Number of visitors attracted = N/A 11. Economic Impact from major events and tourism marketing = N/A 12. Tonnes of carbon dioxide generated = N/A 13. Environmental Businesses supported = N/A 14. Environmental Products Supported. = N/A 	
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Appendix "A"

COMPULSORY PURCHASE ORDER – LAND AT ALBION STREET, WHITEHAVEN

EXECUTIVE MEMBER: Councillor Allan Holliday, Deputy Leader and Portfolio Holder for Coastal Fringe and Pow Beck Valley Projects.

LEAD OFFICER: Julie Betteridge, Head of Development Strategy.

REPORT AUTHOR: Clinton Boyce, Legal Services Manager.

SUMMARY: To advise Members of the current position regarding the 'Albion Square' development project as detailed in the report ('the Project') and to seek authority to exercise compulsory purchase powers to progress the Project.

RECOMMENDATION: That:

- (a) The current position on the Project be noted;
- (b) That authority be delegated to the Head of Development Strategy in consultation with the Portfolio Holder for Coastal Fringe and Pow Beck Valley projects to secure satisfactory funding from West Lakes Renaissance or other grant funders to enable the Project to proceed;
- (c) That authority be delegated to the Head of Development Strategy to procure, subject to (b) above being in place, the services of appropriate consultants to deliver the Project such consultants initially being procured for pre-Inquiry advice, and, in the event of objections to a compulsory purchase order being made, for dealing with matters subsequent to receipt of objections including, if necessary, attendance at an Inquiry;
- (d) That, in respect of matters not already delegated to officers by contract standing order 21, Council be recommended to delegate authority to the Head of Development Strategy to negotiate terms for the acquisition of the land referred to in recommendation (e) with the approval of any proposed terms being delegated to such officer in consultation with the Portfolio Holder for Coastal Fringe and Pow Beck Valley projects, the Head of Finance and Management Information Systems and the Head of Legal and Democratic Services;
- (e) That a recommendation be made to Council that in respect of the Project that those areas of land within the area shown hatched on the attached plan at Appendix 1 (excluding the area cross-hatched) not already within the ownership of the Council together with any rights affecting land already in the Council's ownership which may prevent the Project from proceeding be acquired compulsorily under section 226 (1) (a) of the Town and Country Planning Act 1990 (as amended) to facilitate the carrying out of development,

redevelopment or improvement on or in relation to the said land and that a Compulsory Purchase Order be made and titled the Copeland Borough Council (Land at Albion Street, Whitehaven) Compulsory Purchase Order 2009; and

- (f) That authority be delegated to the Head of Development Strategy to carry out all necessary steps to secure the confirmation and implementation of the Order referred to in (e) above.

1. BACKGROUND AND CURRENT POSITION

- 1.1 This report concerns areas of land at Albion Street, Whitehaven which are shown hatched on the plan at Appendix A ("the Site"). The Site comprises of some derelict buildings, a working scrap yard and a garage. Forming part of the southern gateway to the town centre the Site is unsightly.
- 1.2 The Council in conjunction with West Lakes Renaissance commissioned Royal Haskoning and Green Design Group to develop proposals for the redevelopment of the Site and these are attached as Appendix B. The proposals will create 4005m² net of office space and 2282m² net of flexible employment space. The junction between Irish Street, Newtown and Albion Street/Rosemary Lane will be realigned and environmentally enhanced to introduce a new 'Gateway' to the town centre. The proposed development has become known as the 'Albion Square' development.
- 1.3 In bringing forward the development the Council, working with West Lakes Renaissance ("WLR") has engaged consultants to assemble information about the Site and to make contact with all the stakeholders in the area. Full details are available for inspection in the White Young Green Albion Square Baseline Report.
- 1.4 In putting together the Site the Council/WLR has recently acquired 1-4 Newtown and 16/17 Albion Street. The Council already owns land at the rear of Swingpump Lane within the Site. This area is enclosed and ownerships between the public house and the scrap yard have overspilled. There may be other interests over the Council land, for example, relating to service media and those interests will need to be acquired.
- 1.5 The position regarding the other land ownerships are:
- Scrap yard: this is the largest parcel of land generally used as a scrap yard – the owners consider that the scrap yard has reached the end of its useful life, aspire to see a residential led development, but accept that this may not be feasible.
 - The Dusty Miller Public House: the present intention is to leave this building undisturbed and develop around it.
 - Garage: this site comprising the most southerly area is currently on the market for sale, and negotiations are being undertaken by WLR.
 - Cumbria County Highways: aspirations include realignment of the highway with further considerations of one or two way traffic linked to other town centre highway improvements, agreement in principle exists with further work to be undertaken alongside detailed design of a development.
- 1.6 To facilitate the development the Council in discussion with WLR need to exercise compulsory purchase powers.

2. JUSTIFICATION FOR COMPULSORY PURCHASE

- 2.1 Justification comprises of two main factors. Firstly, significant environmental improvements will be made as a result of the development. Redundant or poor condition buildings will be removed and the town centre will acquire an improved southern gateway. This contributes to the promotion or improvement of the environmental well being of the area. Secondly additional high quality office and flexible employment accommodation will be provided. In respect of the area north of Albion Street WLR are negotiating with an end-user to occupy the office space being created as part of the development. Even if these negotiations fail demand for office and employment space accommodation is good. This factor contributes to the promotion or improvement of the economic well being of the area.
- 2.2 Additionally but not related to justification of the CPO is the timing of the development. During the global economic downturn the creation of jobs will have a significant economic benefit to the Town Centre.
- 2.3 In respect of the planning position the planning framework provides justification for a compulsory purchase order being made. The Adopted Copeland Local Plan (2006) identifies the land as a key Town Centre Development Opportunity Site (no.WTC9) under Policy TCN 12. Commercial or mixed residential and commercial uses are identified as appropriate town centre uses contributing to regeneration in line with Policy TCN 9 with high quality design requirements set out in Policy TCN 4.

An additional material consideration is the "Whitehaven Town Centre Development Framework" produced for the Council in 2006 which identifies key regeneration projects. The land is identified as one of ten priority sites and currently sits within the boundaries for our Townscape Heritage Initiative proposal.

- 2.4 The current advice from independent consultants is that the development is viable. In respect of site clearance and construction costs the project team, WLR and Copeland Borough Council, are intending to fund the development with grant aid from North West Development Agency and funding arrangements with other public and private sources. In respect of post completion running costs evidence exists to show that the commercial operation of the premises is financially sound.
- 2.5 Section 226 of the Town and Country Planning Act 1990 enables a local authority to acquire land for development and other planning purposes. The power is intended to provide a positive tool to help acquiring authorities assemble land for regeneration scheme and it is intended to use this power to base the compulsory purchase on.

3. FINANCIAL IMPLICATIONS AND PROJECT AND RISK MANAGEMENT

- 3.1 The aim is to ensure that the project is fully supported by grants from West Lakes Renaissance or other grant funders. To date 16/17 Albion Street and 1-4 Newtown has been purchased with the aid of WLR funding and will be maintained by the Council pending re-development. In respect of the appointment of specialist consultants to enable the compulsory purchase to proceed their fees will be covered by grant as will the resulting purchase costs. Prior to issuing any Order for confirmation to the Secretary of State it will be necessary to have in place acceptable funding to ensure that all costs which could arise are covered. It is

recommended that authority be delegated to the Head of Development Strategy to negotiate satisfactory funding from the grant funders.

4. PROJECT TIMETABLE

4.1 The following timetable actions will take place within the time estimate shown:

- (a) securing of satisfactory grant offer from WLR for appointment of pre-order consultants - by 20/03/09;
- (b) invitation of prices from consultants and appointment of such – by 17/04/09;
- (c) initial work completed by consultants – by 31/05/09. (In parallel with this work will be the drafting of the order, order plan and statement of reasons;
- (d) reassessment of position – by 15/06/09;
- (e) securing of further grant funding for acquisition costs – by 17/07/09;
- (f) issue of compulsory purchase order – by 30/06/09;
- (g) period for objections will expire by – by 31/07/09;
- (h) after the 31/07/09 will depend on the Secretary of State. If an Inquiry is held this should be held by the 28/02/10 with a decision being made by the 31/05/10. After that time formal possession/acquisition of the land will occur; and
- (i) start of development, assuming order confirmed, late 2010 or earlier if negotiations are eventually successful or an Inquiry is not held.

5. RECOMMENDATIONS

As set out at the beginning of this report. The approval of the compulsory purchase order will be a recommendation to Council.

6. IMPACT ON CORPORATE PLAN

This development supports paragraphs 1.1.11 (taking a lead role in the development of regeneration), 2.2 (regenerating Copeland with outcomes relating to environmental and infrastructure improvements, increased number of businesses and jobs), 3.1.1 (ensuring sufficient employment sites and buildings available including in town centres) and 3.1.2 (supporting the development of sustainable local businesses). The development indirectly supports other aims within the Corporate Plan.

List of Appendices

Appendix 1 – Plan showing development site; and

Appendix 2 – schematic drawing of proposed development together with other documentation from Royal Haskoning/Green Design Group regarding the proposed development.

List of Background Documents

As appendices and the White Young Green Albion Square Baseline Report.

List of Consultees

Head of Development Strategy (ref JB)
 Head of Finance and Management Information Services (ref JC)
 Strategic Planning Manager (ref JH)
 Head of Development Operations (ref CL)
 Head of Legal and Democratic Services (MJ)
 West Lakes Renaissance (ref PC)
 Portfolio Holder

CHECKLIST FOR DEALING WITH KEY ISSUES

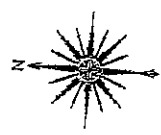
Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	N/a
Impact on Sustainability	N/a
Impact on Rural Proofing	N/a
Health and Safety Implications	N/a
Project and Risk Management	Paragraph 3.
Impact on Equality and Diversity Issues	N/a
Children and Young Persons Implications	N/a
Human Rights Act Implications	The CPO procedures address HRA implications.
Monitoring Officer comments	For the purposes of making a recommendation in respect of the CPO, the Executive needs to be reassured from the information supplied that there is justification for making a CPO.
Financial Monitoring Officer comments	No comment with regard to CPO order. When the funding package to enable purchase is being prepared, finance advice and support will be sought to ensure appropriate accounting treatment of the grant arrangement and subsequent grant monitoring and claims process.

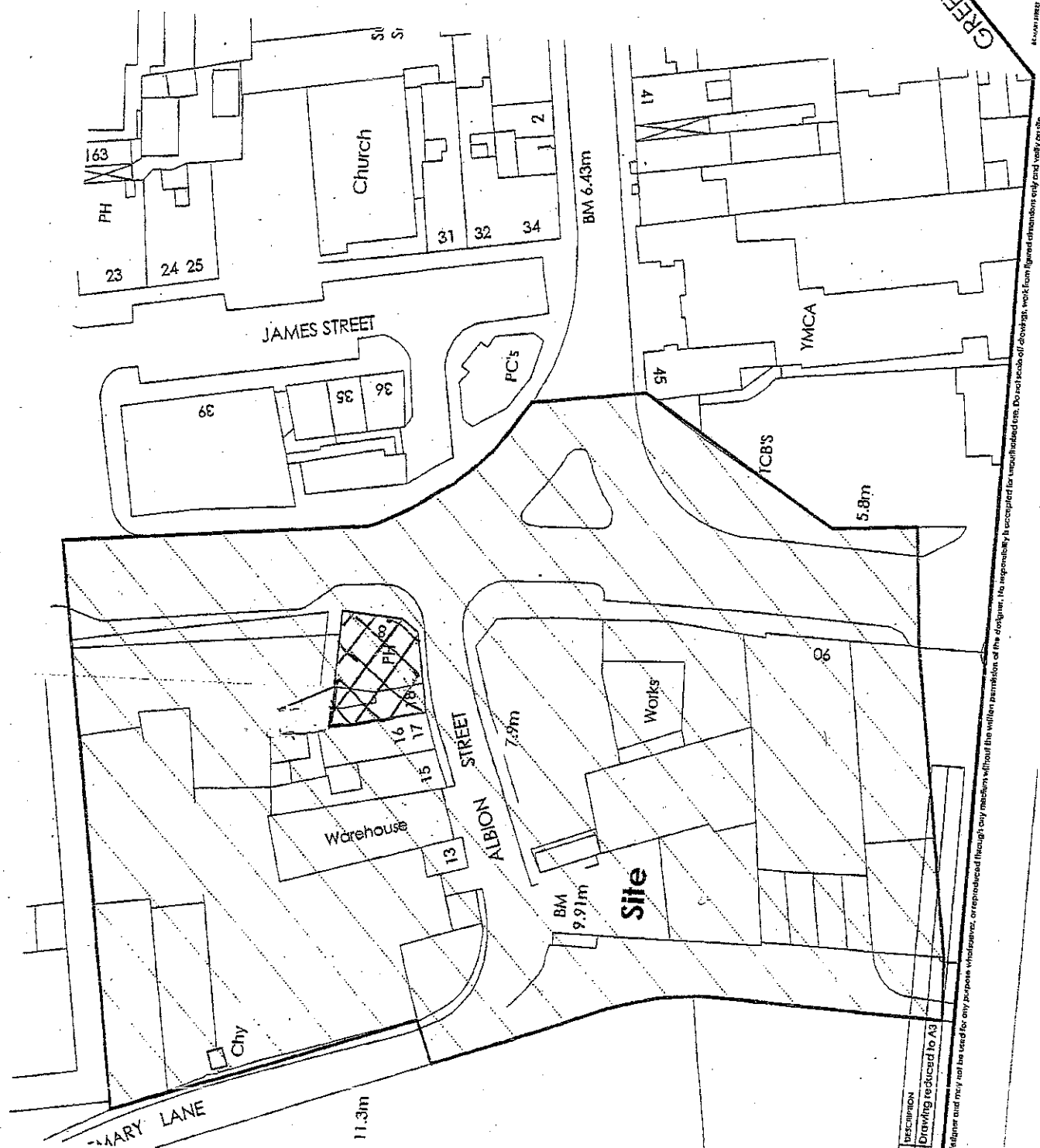
Please say if this report will require the making of a Key Decision YES

EXEC 10.02.09

ALBION ST. APPENDIX

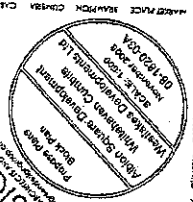
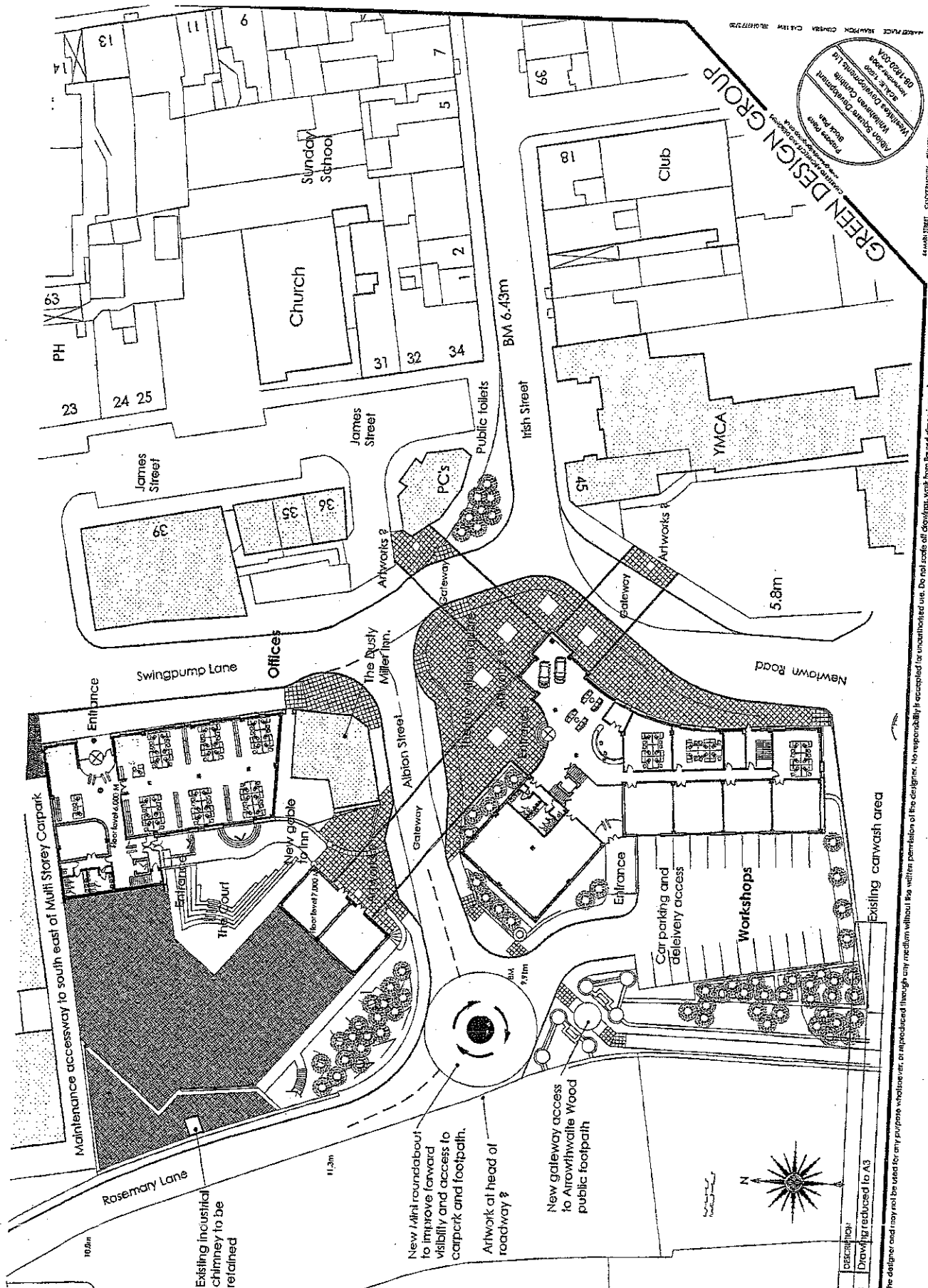


GREEN DESIGN GROUP
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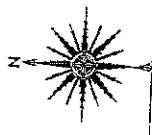


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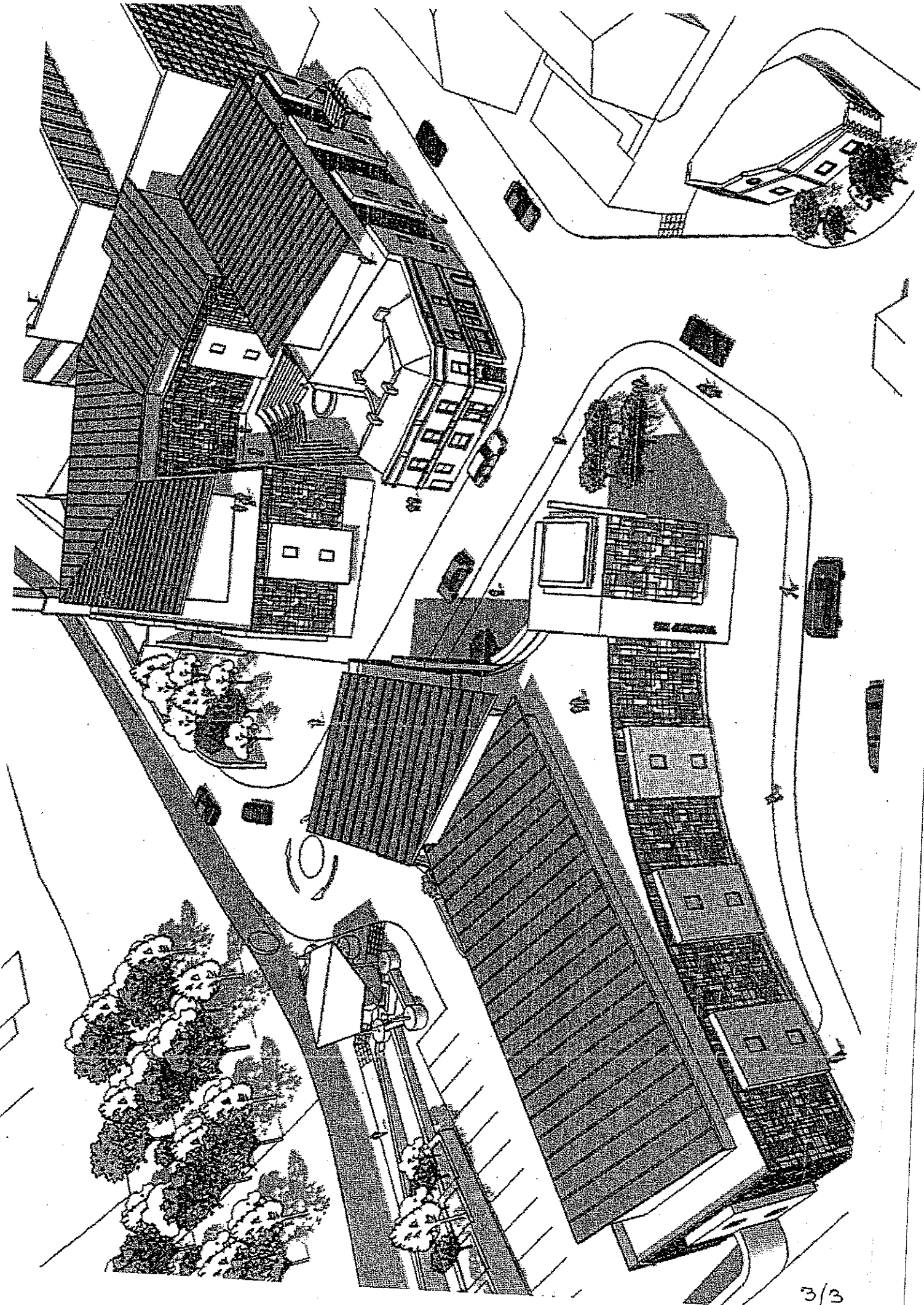
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 APPENDIX 2



COMPULSORY PURCHASE ORDER – POW BECK SPORTS VALLEY DEVELOPMENT

EXECUTIVE MEMBERS: Councillor Allan Holliday, Deputy Leader; Councillor Cath Giel, Deputy Leader; and Councillor Hugh Branney, Portfolio Holder for Leisure and Cultural.

LEAD OFFICER: Julie Betteridge, Head of Development Strategy.

REPORT AUTHOR: Clinton Boyce, Legal Services Manager.

SUMMARY: To advise Members of the current position regarding the Pow Beck Sports Valley development project as detailed in the report ('the Project') and to seek authority to exercise compulsory purchase powers to progress the project.

RECOMMENDATION: That:

- (a) The current position on the project be noted;
- (b) That authority be delegated to the Head of Development Strategy to secure satisfactory funding from West Lakes Renaissance and other grant funders to enable the Project to proceed;
- (c) That authority be delegated to the Head of Development Strategy to procure, subject to (b) above being in place, the services of appropriate consultants to deliver the project such consultants initially being procured for pre-Inquiry advice, and, in the event of objections to a compulsory purchase order being made, for dealing with matters subsequent to receipt of objections including, if necessary, attendance at an Inquiry;
- (d) That, in respect of matters not already delegated to officers by contract standing order 21, Council be recommended to delegate authority to the Head of Development Strategy to negotiate terms for the acquisition of the land referred to in recommendation (e) with the approval of any proposed terms being delegated to such officer in consultation with the portfolio holders for Finance, Coastal Fringe and Pow Beck Valley projects, the Head of Finance and Management Information Systems and the Head of Legal and Democratic Services;
- (e) That a recommendation be made to Council that in respect of the project that those areas of land shown hatched on the attached plan and marked A, B and C be acquired compulsorily under section 226 (1) (a) of the Town and Country Planning Act 1990 (as amended) to facilitate the carrying out of development, redevelopment improvement of the land and that a

Compulsory Purchase Order be made and titled the Copeland Borough Council (Land at Pow Beck, Whitehaven) Compulsory Purchase Order 2009; and
(f) That authority be delegated to the Head of Development Strategy to carry out all necessary steps to secure the confirmation and implementation of the Order referred to in (e) above.

1. BACKGROUND AND CURRENT POSITION

- 1.1 On the 19th December 2006 the Executive received a report regarding the acquisition of land at Powbeck Valley. The Executive resolved that:
- (a) The two areas of land situated at The Meadows, Whitehaven and former railway land at the Meadows, Whitehaven and more particularly described in paragraph 2 of the report, be the subject of a report back to Executive with a view to compulsory purchase orders being made under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) to facilitate the carrying out of development, re-development or improvement of the land as part of the project relating to the construction of a road to facilitate re-development at Pow Beck the location of wet and dry public sports facilities and the relocation of the Whitehaven Social Welfare Centre's sports and recreational facilities. Should negotiations continue to be unsuccessful subject to suitable evidence being demonstrated through the forthcoming supplementary planning document;
 - (b) Subject to securing funding from West Lakes Renaissance to begin the procurement of specialist assistance to prepare for compulsory purchases processes for the above two areas of land;
 - (c) Should compulsory purchase action be necessary any report back to Executive be accompanied by details of a proposed indemnity agreement with West Lakes Renaissance;
 - (d) Authority be delegated to the Corporate Director (Economic Prosperity and Sustainability) to negotiate terms for the acquisition of the land referred to in (a) above on a voluntary basis with any proposed terms being approved by the Head of Finance and Business Development in consultation with the Portfolio Holder; and
 - (e) The continuing negotiations in respect of the remaining parts of the Pow Beck area be noted and that Executive confirm that should it be necessary to do so it would also be willing to consider Compulsory Purchase Order in respect of these alternative sites subject to a further report back".
- 1.2 The former railway land was purchased by agreement subsequent to the above decision. Terms for the purchase of 'The Meadows' have not been agreed.
- 1.3 This report concerns three areas of land off Coach Road, Whitehaven which are shown hatched and marked A, B and C on the plan at Appendix A. The area marked A is owned by three individuals. The area marked B is owned by the trustees or the custodian trustee on behalf of the Whitehaven Social Welfare Scheme, a registered charity and leased to the Whitehaven Rugby League. Area C is owned by the said

charity with a right of way having been granted by the charity to the Whitehaven Rugby League. Rights of access will also exist out of plot C to other land owners in the area. Negotiations in respect of all three sites have not resulted in an agreement and it is now necessary to exercise compulsory purchase powers if the project is to proceed. West Lakes Renaissance ('WLR') has asked the Council to exercise such powers.

A flood risk assessment looking at the feasibility of the flood alleviation requirements has been undertaken and will inform the development. This has been shared with the Environment Agency.

The Environment Agency who have responsibility for the Pow Beck River flowing through the site do not own the beck land. The land ownership is included within the two adjacent land sites which are the subject of this proposal in support of the Pow Beck Valley development scheme.

1.4 The following progress has been made with the Pow Beck development since the last report to members: -

- Pow Beck Gardens potential housing development is currently on hold due to the fragility of the market identified through a procurement activity for the site. All media enquiries are being directed to WLR's PR officer;
- Consultants have produced scheme options and business plan for the Stadium development and the project team and stakeholders have responded and discussed these agreeing a preferred joint approach;
- Ongoing discussions are taking place with the key stadium stakeholders to progress the preferred approach for the stadium;
- Japanese Knotweed on the site will be included in the council's eradication programme, funded by WLR;
- Coach Road Improvements final report has been received in September 2008. The recommendations will still be valid regardless of the final proposed development. The main issues relate to the drainage problems due to inadequacy of the combined sewer to cope with high surface water flows causing subsequent flooding. The study suggests potential solutions but these will require further examination and development;
- Cumbria County Councillors visited the site in August 2008 to particularly understand the requirements of the Pow Beck Valley Spine Road;
- There is continued stakeholder interest in the Pow Beck Valley Sports Village concept which is a major project within the Whitehaven Regeneration Programme. The Portfolio Holder and officers attended a recent Cumbrian event on Sports Valley case studies and opportunities. The Pow Beck Valley project will be subject to a bid for Sports Village Status and our formal interest has been registered through Cumbria Vision to Sport England and NWDA;
- The current development activity focus is on the Stadium and its key stakeholders;
- the Pow Beck Valley SPD (Supplementary Planning Document) was adopted by the Council in Jan 2008. Its purpose is to inform developers and other interested parties of the constraints and opportunities presented by the site in accordance with current planning policy and to indicate the type of development expected by the Council. It forms part of our LDF.

2. JUSTIFICATION FOR COMPULSORY PURCHASE

- 2.1 The redevelopment of the Pow Beck Valley has been ongoing for a number of years. Members will recall that in 2003 consultants BDP prepared a feasibility study which identified the Valley as having potential for new improved sports facilities and related employment uses accessed via a new road. In 2005 WLR asked White Young Green to prepare a more detailed development plan to identify an "inspirational and deliverable plan to secure sustainable development in the Pow Beck Valley". White Young Green consulted various key stakeholders including Cumbria County Council, the Whitehaven Social Welfare Scheme, the Environment Agency and Whitehaven Amateurs FC/Rugby LFC. That consultation showed significant local support for the regeneration proposals in the Pow Beck Valley.
- 2.2 In order to justify the acquisition of all three areas it is necessary to justify what development is planned for that area as a whole. Justification is dealt with in three parts – the Whitehaven RLFC proposals for plot B, the access road at plot C and that part of land within plot A not forming part of the access road.

Plot B: Whitehaven Rugby League development

It has taken over 18 months to get agreement on lease terms between Whitehaven Rugby League Football Club (WRLFC) and the Miners Welfare. The terms in the agreement were accepted by WRLFC in line with their commitment to maintain their presence and use on the site despite the increased cost the new lease terms would bring. The signed agreement has not been concluded. The freeholder, has not authorised the agreement. The only option to progress the stadium development and maintain continued access to this site for the WRLFC is to seek a CPO for the site.

Noting the length of time it has taken to get to this point on a new lease there is little confidence among stakeholders that it will be resolved in the next year thus affecting the plans for the development. The land is a core element of the stadium development.

Plot C: Access road

Only part of the proposed access road exists at the present time. It is in poor condition and crosses the Whitehaven RLFC car park. On match days there is congestion. The existing highway along Low Road is congested and poses a danger to residents living at Meadow View. The new access road will relieve some but not all of those problems as traffic heading from south Whitehaven to Coach Road will use the new access road. Providing a new access point at the Low Road/Meadow Road junction will alleviate traffic problems on match days as not all traffic will exit onto Coach Road.

In particular, the flood risk assessment undertaken highlights the importance of providing a new access road out of the flood risk area. The current road suffices for the traffic levels currently but the development will require safe access for a larger number of people and vehicles.

The Pow Beck Valley Development Brief SPD notes "A new access road will offer a potential future solution to the current problems on Low Road and Meadow View by creating a north south link through the Pow Beck Valley. Significant work has been undertaken assessing the traffic generation from the proposed uses and this spine

road option has been recommended by the Area Transport Advisory Group and Cumbria County Council Copeland Area Committee." (sect 5.14, p26)

Plot A: The Meadows

Area east of access road

This area is set aside for parking in support of the Sports Village delivery and in particular to provide for the additional visitor capacity offered by the Stadium development.

Area west of access road

This will form part of the new leisure centre which will incorporate indoor sports including swimming and general sports.

Members will be aware of the feasibility work undertaken 18 months ago. Forward planning activity for our existing Whitehaven Leisure offer is in progress with Pow Beck Sports Village as one of the key options. Customer feedback and evidence of demand for the leisure services remains positive.

2.3 In respect of the remainder of the Pow Beck development site the position is as follows:

- (a) the area adjacent the Gardens has been purchased. An area between this area and adjacent to the cycle path, owned by Network Rail and known as "Corkickle Sidings" has not been purchased as agreement on terms has not been reached. It is likely the residential part of the Pow Beck Valley development can still proceed without this land when market conditions for housing improve.
- (b) the Whitehaven Amateurs FC (WAFC) have produced and designed their land adjacent to Plot B to enhance their existing sports delivery on the site to include practice pitches and tennis courts. The Community Stadium approach strengthens their plans. WAFC are a key stakeholder for the stadium and will deliver their developments as part of the first phase of the Sports Village Development.
- (c) the existing services and facilities provided on land owned by the trustees/custodian trustees of the Whitehaven Social Welfare Scheme are fully complementary to the wider Sports Village vision for the area. The Whitehaven Miners Social Welfare Centre as deliverers of the practice pitches, clubhouse and bowling greens are stakeholders in the wider vision for Pow Beck Sports Village.

2.4 Overall the only land necessary to complete the Pow Beck Valley development are the three areas referred to in the report.

2.5 A supplementary planning document has been prepared by the Council as planning authority and adopted by Council in January 2008. A copy of that document is available to members. Paragraph 2.10 of that document lists a number of uses which would be acceptable in planning terms including leisure, recreation, light industrial, office and open space: Retail use would not be acceptable. The document continues: -

"Consideration should be given in the final development scheme to the effect of the proposed development on the vitality and visibility of Whitehaven town centre, and its compatibility with existing and future uses in the surrounding area.

In addition to the recreational facilities associated with Whitehaven Rugby League Football Club it will be important to ensure that recreational facilities are provided for the Whitehaven Amateurs Football Club (WAFC) and Whitehaven Miners Social Welfare Centre (WMSWC). These are to include a number of football pitches as well as bowling and clubhouse facilities.

The Council will expect that development of commercial or industrial premises are tailored to meet the identified needs of local business growth”.

- 2.6 The purpose of the document is to inform developers and other interested parties of the constraints and opportunities presented by the site in accordance with current planning policy and to indicate the type of development expected by the Council.
- 2.7 Section 226 of the Town and Country Planning Act 1990 enables a local authority to acquire land for development and other planning purposes. The power is intended to provide a positive tool to help acquiring authorities assemble land for regeneration scheme and it is intended to use this power to base the compulsory purchase on. The proposals outlined above for the Pow Beck Valley will promote or improve the economic, social and environmental well-being of the Council's area.

3. PROJECT TIMETABLE

- 3.1 The following timetable actions will take place within the time estimate shown:
 - (a) securing of satisfactory grant offer from WLR for appointment of pre-order consultants - by 20/03/09;
 - (b) invitation of prices from consultants and appointment of such – by 17/04/09;
 - (c) initial work completed by consultants – by 31/05/09 (in parallel with this work will be the drafting of the order, order plan and statement of reasons);
 - (d) reassessment of position – by 15/06/09;
 - (e) securing of further grant funding for acquisition costs in the event of blight notices being received – by 30/06/09;
 - (f) issue of compulsory purchase order – by 30/06/09;
 - (g) period for objections will expire by – by 31/07/09;
 - (h) after the 31/07/09 will depend on the Secretary of State. If an Inquiry is held this should be held by the 28/02/10 with a decision being made by the 31/05/10. After that time formal possession/acquisition of the land will occur;
 - (i) start of development, assuming order confirmed, late 2010 or earlier if negotiations are eventually successful or an Inquiry is not held.

4. RECOMMENDATIONS

- 4.1 As set out in the 'Summary and Recommendation' box at the beginning of this report. The approval of the compulsory purchase order and delegation of negotiation and approval of terms will be a recommendation to Council. The latter is required in the event of any price being agreed of £250,000 or more which requires full Council approval under contract standing order 21.2.1.3

5. FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)

- 5.1 The aim is to ensure that the project is fully supported by grants from WLR and other grant funders. Satisfactory funding arrangements will need to be put in place with WLR and other grant funders to progress the compulsory purchase order. Prior to issuing any Order for confirmation to the Secretary of State it will be necessary to have in place acceptable funding to ensure that all costs which could arise are covered. It is recommended that authority be delegated to the Head of Development Strategy to negotiate satisfactory funding from the grant funders.

6. PROJECT AND RISK MANAGEMENT

- 6.1 It is anticipated that further work in support of the Council's arguments will be an integral part of the Pow Beck Valley project development and management activity.

7. IMPACT ON CORPORATE PLAN

- 7.1 This development is core to our transformation and prosperity aspirations through delivering a cultural regeneration infrastructure to support and improve the well being of our residents.

List of Appendices

- Appendix A – Plan showing development site to be purchased.
Appendix B – Schematic drawing of proposed development.

List of Background Documents

As appendices.

List of Consultees

Head of Legal & Democratic Services (ref MJ)
Head of Development Strategy (ref JB and BC)
Head of Finance and Management Information Systems (ref JC)
Strategic Planning Manager (ref JH)
Head of Development Operations (ref CL)
West Lakes Renaissance (ref PC)
Portfolio Holder(s)

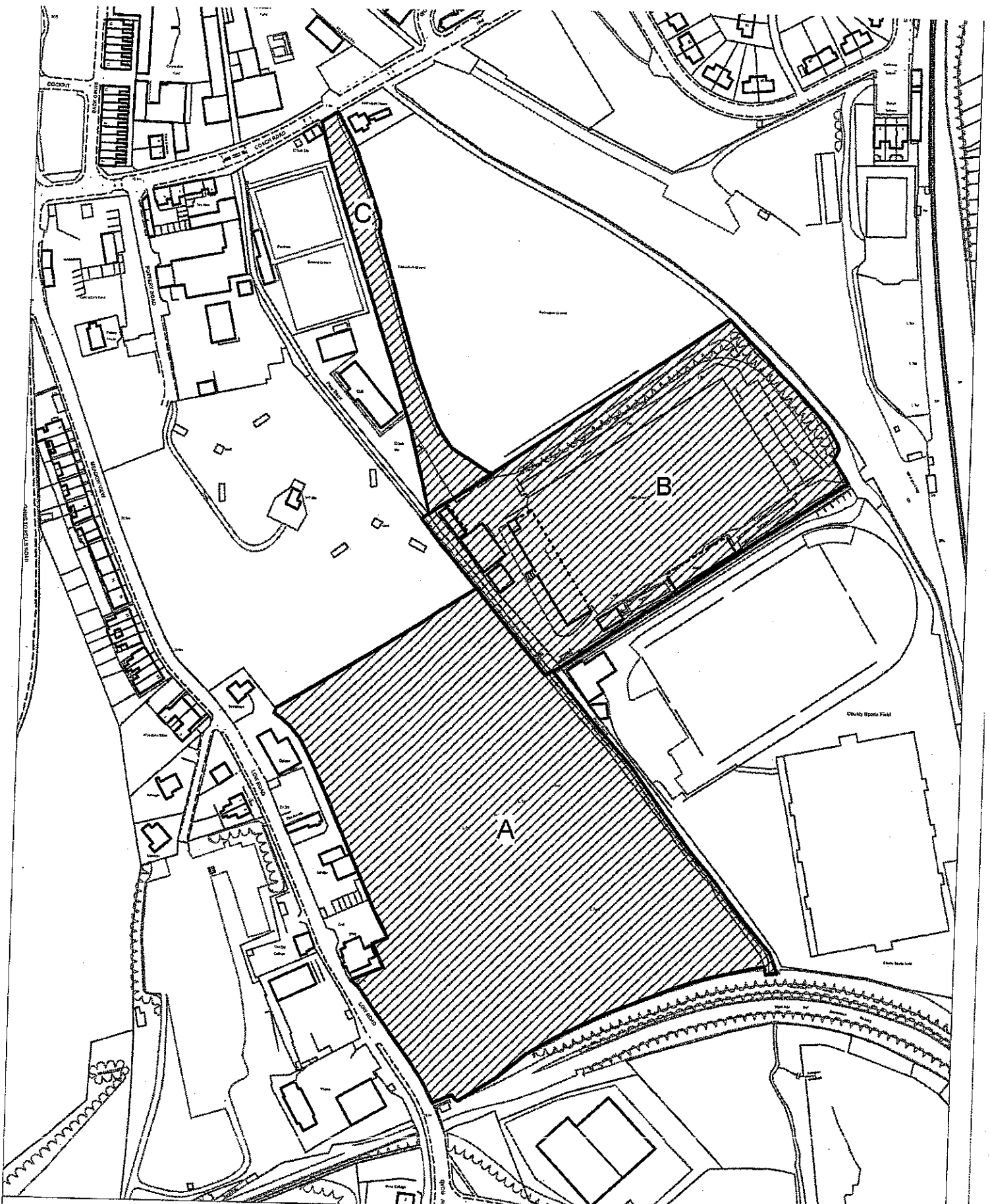
CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	N/a
Impact on Sustainability	N/a
Impact on Rural Proofing	N/a
Health and Safety Implications	N/a
Project and Risk Management	Paragraph 6
Impact on Equality and Diversity Issues	N/a
Children and Young Persons	N/a

Implications	
Human Rights Act Implications	The CPO procedures address HRA implications.
Monitoring Officer comments	For the purposes of making a recommendation in respect of the CPO the Executive needs to be reassured from the information supplied that there is justification for making a CPO.
Financial Monitoring Officer comments	No comment with regard to CPO order. When the funding package to enable purchase is being prepared, finance advice and support will be sought to ensure appropriate accounting treatment of the grant arrangement and subsequent grant monitoring and claims process.

Please say if this report will require the making of a Key Decision YES



POW BECK
WHITEHAVEN
CUMBRIA

Executive 10/02/09
Appendix A

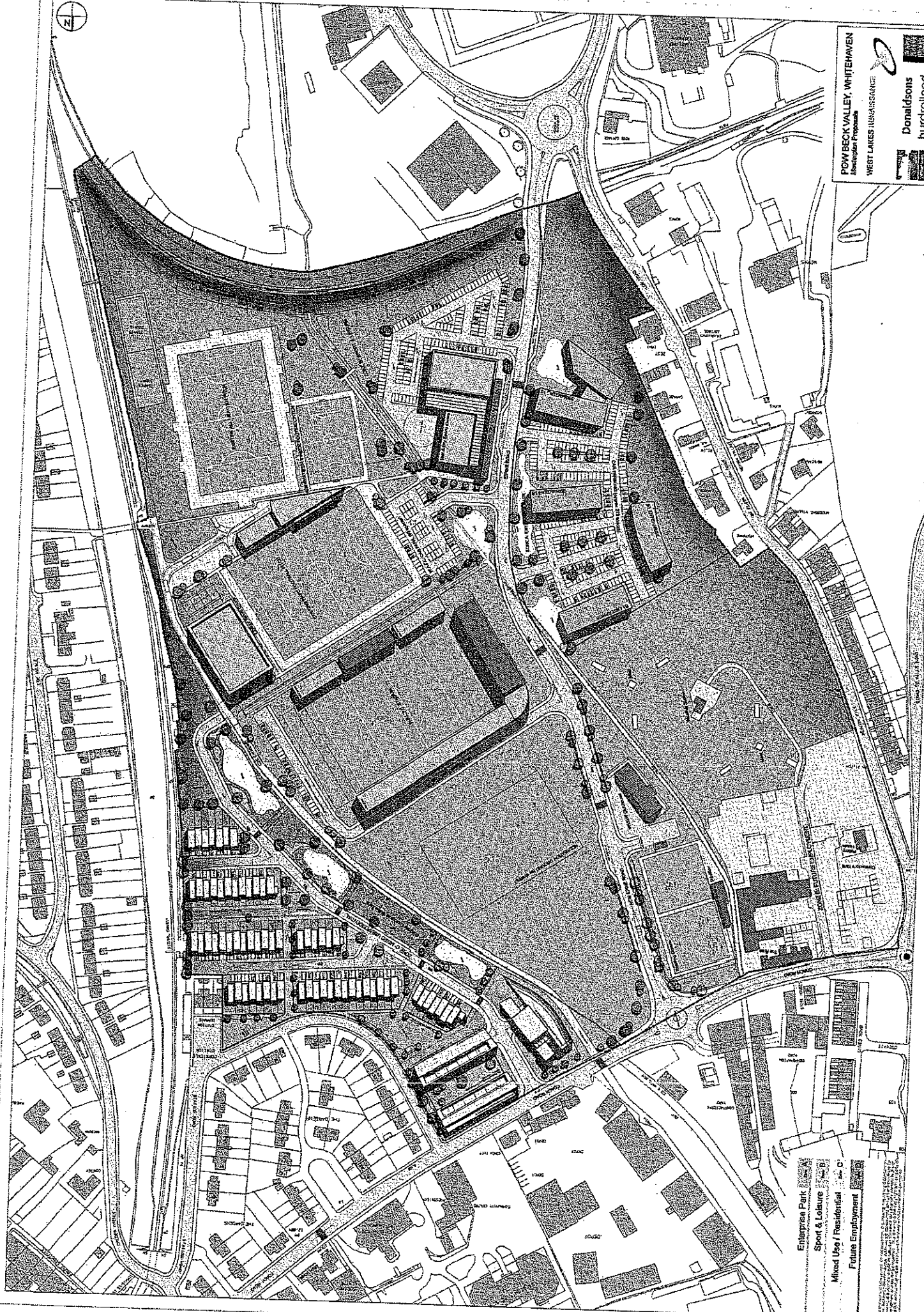
Regeneration
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ



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Date: 03/02/09

Scale: 1: 2,500



POWBECK VALLEY, WHITEHAVEN
 Illustration Proposal
 WEST LAKES ARCHITECTS



Enterprise Park
 Sport & Leisure
 Mixed Use / Residential
 Future Employment

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The Committee considered the roles of the current committees and whilst it was felt that the structure of the committees was right it was noted that the terms of references of the existing committees would need to be looked at again as they are based on a Local Area Agreement that no longer exists and has been changed dramatically.

It was also felt appropriate that training on the role of overview and scrutiny and the work that each committee would need to do was needed. Furthermore training on performance and budgetary monitoring was needed.

The Committee agreed that further work should be done on:

- the terms of references of the Overview and Scrutiny Committees;
- giving training for all the committees on the role and purpose of overview and scrutiny;
- giving performance and budgetary monitoring training for all the overview and scrutiny committees;
- arranging presentations from respective departments to committees on what work they do, and
- developing a strategy for greater public involvement in scrutiny.

3. Budget Scrutiny

The Overview and Scrutiny Management Committee considered a report on how the council could undertake scrutiny of its budget.

The Committee noted that it was intended for the first stage of the process to be a Special Meeting of the committee that would be open to all members of the council which was scheduled for 23 January 2009. The purpose of this meeting would be an officer-led presentation to explain the current position of the budget and what the final budget may look like.

The second stage will then be held in March/April which will look at the whole budget process retrospectively and seek to consider how well the process worked and whether the delivery chain was realised (Priorities – Objectives – Resources – Outcomes).

4. Hydropower

The Safer and Stronger Communities Overview and Scrutiny Committee received a presentation from Gilbert Gilkes & Gordon Ltd on the history of hydropower and current developments.

Members were advised that hydropower was renewable, well proven, the fuel was free, produced negligible emissions and was the cheapest way of storing electricity.

During the question and answer session that followed, Members enquired about any approval required from the Environment Agency and/or the National Rivers Authority and how long these take to obtain.

An enquiry was made regarding the cost of a community scheme.

The Committee requested regular updates on the use of hydro power in the area.

5. Climate Change

The Safer and Stronger Communities Overview and Scrutiny Committee received a presentation from Mr A McKenzie, Sustainability Manager, Cumbria County Council on the County Council's climate change strategy.

Members were advised that an action plan had been produced with 147 recommendations including Energy, Housing & Building, Health, Natural Environment, Transport, Waste & Water, Leadership, Procurement and Industry & Commerce.

The next stage was to refer the recommendations to Cumbria Local Authorities Strategic Board and it was hoped to implement the recommendations in April 2009.

6. Haverigg Prison

The Safer and Stronger Communities Overview and Scrutiny Committee recalled that at its meeting on 1 April 2008 Councillor Pitt presented a report "Prisons and Safer Communities" that highlighted the benefits of housing prisoners closer to their home environments.

The Committee agreed that:

(A) the report by Councillor Pitt be sent to Anne Owers, the Inspector General of Prisons, seeking support for a Community Prison in Cumbria,

(B) support be sought from Rob Allen, the Director of The International Centre for Prison Studies and from Juliet Lyon the Director of the Prison Reform Trust prior to petitioning the Home Secretary, and

(C) the County Council and the other District/Borough Councils across Cumbria be asked for their support for the principle of making HMP Haverigg a community prison.

Initial letters had been sent to the other local authorities and MPs across Cumbria as well as other relevant organisations shortly after the meeting and

further reminder letters were sent to those organisations and people who had not responded to the original letter.

The Committee considered the responses that had been received which supported the proposal for making HM Prison Haverigg a community prison.

J Reed MP had also supported the principle and the committee agreed that full council should be asked to take up his offer of assistance in presenting the proposal to the Home Office.

7. Youth Engagement - Scoping

The Youth Engagement Task and Finish Group has now had its initial meeting and will hold a number of meetings over the next two or three months. It is intended that its recommendations will be presented to a future meeting of the Children, Young People and Healthy Communities Overview and Scrutiny Committee.

Appendix

Appendix "A" – Responses to Community Prison