

Your Ref:
Our Ref: Gov/LR
Enquiries to: Member Services
Direct Dial: (01768) 817817
Date: 19 April 2017

Town Hall Penrith Cumbria CA11 7QF
Telephone: (01768) 817817
Internet: www.eden.gov.uk
Email: cttee.admin@eden.gov.uk

Dear Sir/Madam

COUNCIL - THURSDAY, 20TH APRIL, 2017

Please find enclosed a series of addendums which were marked as 'to follow' and which will be included for consideration at the meeting of Council on Thursday, 20th April, 2017 .

The addendums contain minute extracts from the Scrutiny Co-ordinating Board meeting held on 6 April which considered and commented upon the 'Review of the Code of Planning Conduct and Practice' and the 'Scrutiny Structures Review'.

The addendums also contain minute extracts from the Accounts and Governance Committee meeting held on 13 April which considered and commented upon the 'Review of the Constitution', 'Annual Review of the Accounting and Audit Rules', 'Annual Review of the Procurement Rules' and the 'Scrutiny Structures Review'.

10 Review of the Constitution (Pages 5 - 6)

To consider report G45/17 of the Deputy Chief Executive which is attached and which is to enable consideration of the proposed changes to the Constitution and the representations which have been received from Members and Officers.

RECOMMENDATIONS:

1. That the recommendations of the Constitution Review Group which are set out in the Appendix 1 to the report and included in the draft version of the Constitution which is attached to this report as Appendix 4 be approved.
2. That the Deputy Chief Executive be authorised, in consultation with the Members of the Constitution Review Group, to approve and authorise any minor and typographical changes to the text of the Constitution following its adoption by Council and arising upon a review of the document prior to publication following the Annual Meeting in May.

11 Review of the Code of Planning Conduct and Practice (Pages 7 - 8)

To consider report G35/17 of the Deputy Chief Executive which is attached and which is to review Eden District Council's ("the Council's") Code of Planning Conduct and Practice in relation to the operation of 'minded to' decisions. The subject matter was considered at the Planning Committee meetings of 15 December 2016 and 19 January 2017 and Scrutiny Co-ordinating Board on 6 April 2017.

RECOMMENDATIONS: That Members approve the proposed changes to the Council's Code of Planning Conduct and Practice as set out as Appendix 1 to this report.

Matthew Neal
Deputy Chief Executive

12 **Scrutiny Structures Review (Pages 9 - 12)**

To consider report G33/17 of the Deputy Chief Executive which is attached and which sets out proposals arising out of an informal working group of Members. The report suggests structural changes to the Environment and Economy Scrutiny Committee and the Housing and Communities Scrutiny Committee. It also reports on a change to the means by which scrutiny reviews are selected.

RECOMMENDATIONS:

1. To consider the recommendations from Scrutiny Co-ordinating Board and Accounts and Governance Committee in respect of the size of the Environment and Economy Scrutiny Committee and the Housing and Communities Scrutiny Committee.

13 **Annual Review of the Accounting and Audit Rules (Pages 13 - 14)**

To consider report F29/17 of the Director of Finance which is attached and which presents the Council's reviewed and updated Accounting and Audit Rules for consideration and inclusion in the 2017 Council Constitution.

RECOMMENDATIONS:

1. That the Accounts and Governance Committee considers the proposed amendments to the appended Accounting and Audit Rules 2017 and recommends them to Council for inclusion in the Constitution; and
2. That Council, subject to consideration of any comments from Accounts and Governance Committee, approves the proposed amendments to the appended Accounting and Audit Rules 2017 for inclusion in the Constitution.

14 **Annual Review of the Procurement Rules (Pages 15 - 16)**

To consider report F30/17 of the Director of Finance which is attached and which outlines proposed changes to the Council's Procurement Rules for consideration and inclusion in the constitution.

RECOMMENDATIONS:

1. That the Accounts and Governance Committee considers the proposed amendments to the appended Procurement Rules and recommends them to Council for inclusion in the Constitution; and
2. That Council, subject to consideration of any comments from Accounts and Governance Committee, approves the proposed amendments to the appended Procurement Rules 2017 for inclusion in the 2017 Council Constitution.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Neal', is written on a light grey rectangular background.

Matthew Neal
Deputy Chief Executive

Encs

Distribution

1. Reports to all Members of the Council for attendance.
2. Reports to Departmental Heads for information.
3. Reports to all remaining Councillors for information.

This page is intentionally left blank

G45/17 Addendum – Agenda Item 10 ‘Review of the Constitution’

Extract from the Accounts and Governance Committee meeting held on 13 April 2017

Accounts and Governance Committee Minutes

Date: 13 April 2017 Venue: Council Chamber, Town Hall, Penrith Time: 6.45 pm

Present:

Chairman:	Councillor P Breen	
Vice Chairman:	Councillor A Connell	
Councillors:	K Greenwood	M Robinson
	S Orchard	
Standing Deputies:	Councillor J Tompkins	
Officers Present:	Clive Howey, Director of Finance	
	Matthew Neal, Deputy Chief Executive	
Democratic Services Officer:	Vivien Little	

AGc/104/4/17 Apologies for Absence

Apologies for absence were received from Councillor Taylor, Councillor Tompkins attended as a substitute, and Councillor Jackson.

...

AGc/109/4/17 Review of the Constitution

The Committee considered report G45/17 of the Deputy Chief Executive which requested consideration be given to the proposed changes to the Constitution and the representations which have been received from Members and Officers.

RESOLVED that it be recommended to Council:

1. That the recommendations of the Constitution Review Group be approved.
2. That the Deputy Chief Executive be authorised, in consultation with the Members of the Constitution Review Group, to approve and authorise any minor and typographical changes to the text of the Constitution following its adoption by Council and arising upon a review of the document prior to publication following the Annual Meeting in May.

G35/17 Addendum – Agenda Item 11 ‘Review of the Code of Planning Conduct and Practice’

Extract from the Scrutiny Co-ordinating Board minutes of the meeting held on 6 April 2017

Scrutiny Co-ordinating Board Minutes

Date: 6 April 2017 Venue: Council Chamber, Town Hall, Penrith Time: 6.45 pm

Present:

Chairman:	Councillor S Orchard	
Vice Chairman:	Councillor J Raine	
Councillors:	P Breen	J Derbyshire
	I Chambers	M Robinson
Standing Deputies:	Councillor J Tompkins	
	Councillor M Tonkin	
Officers Present:	Tony McGuinness, Financial Services Manager	
	Matthew Neal, Deputy Chief Executive (for part of the meeting only)	
Others Present:	Councillor K Beaty (for part of the meeting only)	
Democratic Services Officer:	Vivien Little and Lauren Rushen	

SCb/58/4/17 Apologies for Absence

Apologies for absence were received from Councillor Connell, Councillor Tompkins attended as a substitute, Councillor Smith, Councillor Tonkin attended as a substitute, and Councillor Thompson.

...

SCb/65/4/17 Review of the Code of Planning Conduct and Practice

The Board considered report G35/17 of the Deputy Chief Executive which sought to review Eden District Council's ("the Council's") Code of Planning Conduct and Practice in relation to the operation of 'minded to' decisions. The subject matter was considered at the Planning Committee meetings of 15 December 2016 and 19 January 2017.

RESOLVED that the proposed changes to the Code of Planning Conduct and Practice be recommended to Council for approval.

G33/17 Addendum – Agenda Item 12 ‘Scrutiny Structures Review’

Extracts from the Scrutiny Co-ordinating Board minutes of the meeting held on 6 April 2017 and the Accounts and Governance Committee held on 13 April 2017.

Scrutiny Co-ordinating Board Minutes

Date: 6 April 2017 Venue: Council Chamber, Town Hall, Penrith Time: 6.45 pm

Present:

Chairman:	Councillor S Orchard	
Vice Chairman:	Councillor J Raine	
Councillors:	P Breen	J Derbyshire
	I Chambers	M Robinson
Standing Deputies:	Councillor J Tompkins	
	Councillor M Tonkin	
Officers Present:	Tony McGuinness, Financial Services Manager	
	Matthew Neal, Deputy Chief Executive (for part of the meeting only)	
Others Present:	Councillor K Beaty (for part of the meeting only)	
Democratic Services Officer:	Vivien Little and Lauren Rushen	

SCb/58/4/17 Apologies for Absence

Apologies for absence were received from Councillor Connell, Councillor Tompkins attended as a substitute, Councillor Smith, Councillor Tonkin attended as a substitute, and Councillor Thompson.

...

SCb/64/4/17 Scrutiny Structures Review

The Board considered report G33/17 of the Deputy Chief Executive which set out proposals arising out of an informal working group of Members. The report suggested structural changes to the Environment and Economy Scrutiny Committee and the Housing and Communities. It also reported on the change to the means by which scrutiny reviews are selected.

RESOLVED:

1. That Council be recommended to reduce the number of standing Members on Environment and Economy Scrutiny Committee and the Housing and Communities Scrutiny Committee from thirteen to nine from the start of 2017-2018 Municipal year.
2. That the changes to the Scrutiny Review Work Programme consultation timescales be noted.

Accounts and Governance Committee Minutes

Date: 13 April 2017 Venue: Council Chamber, Town Hall, Penrith Time: 6.45 pm

Present:

Chairman:	Councillor P Breen	
Vice Chairman:	Councillor A Connell	
Councillors:	K Greenwood	M Robinson
	S Orchard	
Standing Deputies:	Councillor J Tompkins	
Officers Present:	Clive Howey, Director of Finance	
	Matthew Neal, Deputy Chief Executive	
Democratic Services Officer:	Vivien Little	

AGc/104/4/17 Apologies for Absence

Apologies for absence were received from Councillor Taylor, Councillor Tompkins attended as a substitute, and Councillor Jackson.

...

AGC/111/4/17 Scrutiny Structures Review

The Committee considered report G33/17 of the Deputy Chief Executive which set out proposals arising out of an informal working group of Members. The report suggested structural changes to the Environment and Economy Scrutiny Committee and the Housing and Communities Scrutiny Committee. It also reported one change to the means by which scrutiny reviews are selected resulting in a shortening of timescales for devising scrutiny priorities. The Deputy Chief Executive pointed out that the Scrutiny Co-ordinating Board had on 6 April 2017 recommended the proposals within the report to Council. He acknowledged that the Accounts and Governance Committee was in no way bound by the views of the Scrutiny Co-ordinating Board.

RESOLVED that Council be recommended to reduce the number of standing Members on Environment and Economy Scrutiny Committee and Housing and Communities Scrutiny Committee from thirteen to nine from the start of the 2017-2018 Municipal Year.

This page is intentionally left blank

F29/17 Addendum – Agenda Item 13 ‘Annual Review of the Accounting and Audit Rules’

Extract from the Accounts and Governance Committee meeting held on 13 April 2017

Accounts and Governance Committee Minutes

Date: 13 April 2017 Venue: Council Chamber, Town Hall, Penrith Time: 6.45 pm

Present:

Chairman:	Councillor P Breen	
Vice Chairman:	Councillor A Connell	
Councillors:	K Greenwood	M Robinson
	S Orchard	
Standing Deputies:	Councillor J Tompkins	
Officers Present:	Clive Howey, Director of Finance	
	Matthew Neal, Deputy Chief Executive	
Democratic Services Officer:	Vivien Little	

AGc/104/4/17 Apologies for Absence

Apologies for absence were received from Councillor Taylor, Councillor Tompkins attended as a substitute, and Councillor Jackson.

...

AGc/107/4/17 Annual Review of the Accounting and Audit Rules

The Committee considered report F29/17 from the Director of Finance which presented the Council's reviewed and updated Accounting and Audit Rules for consideration and inclusion in the 2017 Council Constitution.

RESOLVED that subject to the addition of the words "(whichever comes first)" at the end of the penultimate paragraph of rule 27.1a it be recommended to Council that the proposed amendments to the Accounting and Audit Rules 2017 be approved and included in the Constitution.

F30/17 Addendum – Agenda Item 14 ‘Annual Review of the Procurement Rules’

Extract from the Accounts and Governance Committee meeting held on 13 April 2017

Accounts and Governance Committee Minutes

Date: 13 April 2017 Venue: Council Chamber, Town Hall, Penrith Time: 6.45 pm

Present:

Chairman:	Councillor P Breen	
Vice Chairman:	Councillor A Connell	
Councillors:	K Greenwood	M Robinson
	S Orchard	
Standing Deputies:	Councillor J Tompkins	
Officers Present:	Clive Howey, Director of Finance	
	Matthew Neal, Deputy Chief Executive	
Democratic Services Officer:	Vivien Little	

AGc/104/4/17 Apologies for Absence

Apologies for absence were received from Councillor Taylor, Councillor Tompkins attended as a substitute, and Councillor Jackson.

...

AGc/108/4/17 Annual Review of the Council's Procurement Rules

The Committee considered report F30/17 of the Director of Finance which outlined proposed changes to the Council's Procurement Rules for consideration and inclusion in the 2017 Council Constitution.

RESOLVED that subject to the second sentence of rule 4.6.2.1 being corrected to read "However, if it is decided that a hard copy tender is unavoidable:" it be recommended to Council that the proposed amendments to the Procurement Rules 2017 be approved and included in the Constitution.