

Date: 10 April 2017



District Council

Town Hall, Penrith, Cumbria CA11 7QF

Tel: 01768 817817

Email: cttee.admin@eden.gov.uk

Dear Sir/Madam

Council Agenda - 20 April 2017

Notice is hereby given and you are hereby summoned to attend a meeting of the Council to be held at 6.45 pm on Thursday, 20 April 2017 at the Council Chamber, Town Hall, Penrith.

1 Apologies for Absence

2 Declarations of Interest

To receive declarations of the existence and nature of any private interests, both disclosable pecuniary and any other registrable interests, in any matter to be considered or being considered.

3 Minutes

RECOMMENDATION that the minutes CI/98/3/17 to CI/114/3/17 of the meeting of Council held on 9 March 2017 be confirmed and signed by the Chairman as a correct record of those proceedings (copies previously circulated).

4 Chairman's Announcements

5 Questions by the Public

To receive questions from the public under Rule 10 of the Constitution

6 Questions by Members

To receive questions from Members under Rule 12 of the Constitution

7 Motions on Notice (Pages 7 - 10)

To consider two motions on notice that have been received under Rule 13 of the Constitution.

8 Report of the Independent Remuneration Panel on the Scheme of Members' Allowances (Pages 11 - 22)

To consider report F28/17 of the Director of Finance which is attached and which is

to consider the recommendations made in the report of the Council's Independent Remuneration Panel (IRP).

RECOMMENDATION: After considering the report of the IRP, a Scheme of Allowances is agreed to run from the new municipal year which starts in May 2017.

9 Electoral Review of Eden District Council *(Pages 23 - 42)*

To consider report G41/17 of the Deputy Chief Executive which is attached and which is to enable Members to consider whether they wish to request the Local Government Boundary LGBCE for England ("LGBCE") to undertake an electoral review of the District Council having regard to recommendations from a working group established by Council at its meeting of 12 January 2017.

RECOMMENDATION:

1. That the Local Government Boundary LGBCE for England not be requested to undertake an electoral boundary review at this time for the reasons outlined at paragraph 15 of the Electoral Review Report attached to this report as Appendix 1.

10 Review of the Constitution *(Pages 43 - 288)*

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 289 - 314)*

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.

12 Scrutiny Structures Review *(Pages 315 - 324)*

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 325 - 346)*

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.

RECOMMENDATION:

1. That the Accounts and Governance Committee considers the proposed amendments to the appended Accounting and Audit Rules 2017 for inclusion in the Constitution.

14 Annual Review of the Procurement Rules *(Pages 347 - 362)*

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.

15 Related Party Transactions and Members' Interests *(Pages 363 - 370)*

To consider report F27/17 of the Director of Finance which is attached and which reminds Members of the approach for gathering the information required for the 'Related Party Transactions' note in the annual accounts.

RECOMMENDATIONS:

1. The disclosures in the accounts regarding Interests and Related Party Transactions for Members be extracted from their Registers of Interests.
2. Members continue to keep up-to-date their Interests in the Registers of

Interests.

16 Carry Forward of Revenue Budgets *(Pages 371 - 380)*

To consider report F22/17 of the Director of Finance which is attached and which is to secure Members' approval of any carry forward of a number of individual unused 2016-2017 budgets into 2017-2018.

RECOMMENDATION: That the recommendation from Executive is agreed.

17 Development of Sites - Appointment of Consultancy Support *(Pages 381 - 384)*

To consider report G43/17 of the Deputy Chief Executive which is attached and which sets out the process that has been followed in identifying specialist support and the outputs expected from the work undertaken in relation to bringing two Council owned sites forward to a developable stage.

RECOMMENDATIONS: To note and support that work is being undertaken to progress the design, marketing and consideration of options for sale or lease of the land as part of this project.

18 Heart of Cumbria Limited - Staff Support *(Pages 385 - 390)*

To consider report CE4/17 of the Chief Executive which is attached and which states that Staff within the Council have been providing limited support to the Heart of Cumbria Limited and in relation to the general proposal since the summer of 2016 although the Company has not been operational since that time. That support has involved undertaking some research and also attendance at some meetings. Some time by the Financial Services Manager and also the Senior Legal Advisor has been used in supporting the Company and its meetings since November 2016.

RECOMMENDATIONS:

1. That the Council recover the actual cost of any accommodation, goods, services, staff and any other thing it supplies to Heart of Cumbria Limited.
2. That, the time that is expended by Officers on working for the Company be formally recorded on the timesheet system and that it be reported on a regular basis to the Executive.
3. A grant of £100,000 be paid to the Company to provide funding for it to carry out its activities during the first three years of business whilst it establishes itself and secures a return on its investments and generates income.
4. Supplementary budgets of £33,333 for grant expenditure and recoverable income be approved for 2017-2018 to recognise grant payment and recovery from the Company. Similar sums will be included in 2018-2019 and 2019-2020 budgets.
5. That this situation be kept under review as part of the Council's annual revised estimates and budget making process.

19 Cumbria Choice Based Lettings Policy Review *(Pages 391 - 488)*

To consider report CD28/17 of the Assistant Director Environmental Services which is attached and which is to advise Members of the key proposed changes made to the Cumbria Choice Based Lettings Policy, following the recently policy review.

RECOMMENDATION: That the changes to the Cumbria Choice Based Lettings Policy which are set out in Appendix 2 to this report be approved.

20 Date of Next Scheduled Meeting

The next scheduled meeting of Council be confirmed as the Annual Meeting on 11 May 2017.

21 Exclusion of Press and Public

To consider whether, in accordance with Section 100A(4) of the Local Government Act 1972, members of the public (including the press) should be excluded from the meeting during discussion of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 to Schedule 12A of the Act.

22 Site Acquisition - 4/4A Corney Square, Penrith *(Pages 489 - 496)*

To consider report G46/17 of the Deputy Chief Executive.

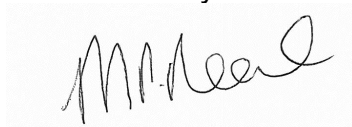
23 Old London Road Depot, Penrith *(Pages 497 - 504)*

To consider report CD27/17 of the Assistant Director Technical Services.

24 Senior Staffing Structure Review and the Consequential Issues *(Pages 505 - 530)*

To consider report CE6/17 of the Chief Executive.

Yours faithfully



Matthew Neal
Deputy Chief Executive

Democratic Services Contact: L.Rushen

Encs

For Attention

All members of the Council

Chairman – Councillor W Patterson (Independent Group)

Vice Chairman – Councillor J Raine (Conservative Group)

Councillors

A Armstrong, Conservative Group
D Banks, Independent Group
K Beaty, Conservative Group
P Breen, Conservative Group
I Chambers, Conservative Group
M Clark, Independent Group
A Connell, Liberal Democrat Group
J Derbyshire, Liberal Democrat Group
M Eyles, Liberal Democrat Group
P Godwin, Independent Group
K Greenwood, Independent Group
L Grisedale, Conservative Group
A Hogg, Conservative Group
D Holden, Liberal Democrat Group
R Howse, Liberal Democrat Group
S Jackson, Conservative Group
V Kendall, Conservative Group
T C Ladhams, Independent Group

J C Lynch, Conservative Group
E Martin, Conservative Group
A Meadowcroft, Conservative Group
G Nicolson OBE, Conservative Group
S Orchard, Conservative Group
J Owen MBE, Conservative Group
M Robinson, Independent Group
H Sawrey-Cookson, Independent Group
R Sealby, Conservative Group
T Sheriff, Liberal Democrat Group
M Slee, Conservative Group
M Smith, Independent Group
V Taylor, Liberal Democrat Group
M Temple, Conservative Group
J G Thompson, Conservative Group
A Todd, Conservative Group
J Tompkins, Liberal Democrat Group
M Tonkin, Independent Group

Please Note:

- 1. Access to the internet in the Council Chamber and Committee room is available via the guest wi-fi – no password is required**
- 2. Under the Openness of Local Government Bodies Regulations 2014 this meeting has been advertised as a public meeting (unless stated otherwise)**