

Eden District Council

Executive Minutes

Date: 4 June 2019 Venue: Town Hall, Penrith Time: 6.00 pm

Present:

Leader and Portfolio for Strategic and Community Leadership:	Councillor V Taylor
Portfolio for Communities:	Councillor L Sharp
Portfolio for Housing and Health	Councillor J Derbyshire
Portfolio for Resources:	Councillor K Greenwood
Portfolio for Services:	Councillor M Tonkin
Portfolio for Eden Development	Councillor M Rudhall
Officers Present:	Matthew Neal, Director of Corporate Services Rose Rouse, Chief Executive
Democratic Services Officers:	Claire Watters and Karen Wyeth

E/1/06/19 Apologies for Absence

Apologies for absence were received from Councillor Robinson.

E/2/06/19 Declarations of Interest

No declarations of interest were made at this meeting.

E/3/06/19 Questions and Representations from the Public

No questions or representations from the public had been received under Rules 3 and 4 of the Executive Procedure Rules of the Constitution.

E/4/06/19 Questions from Members

The following questions on notice were received from Members under Rule 5(b) of the Executive Procedure Rules of the Constitution.

1. Councillor Eyles asked the following question of the Services Portfolio Holder:

“In response to one of my questions to an Executive member of the previous administration I was told that the date of the closure of Penrith’s public toilets would be determined by the renewal of blue collar contracts. When will the blue collar contracts for Eden Council start to be subject to renewal negotiations?”

The Services Portfolio Holder responded as follows:

“The current Blue collar service contracts come to an end in 2022. Decisions on the delivery model for the services from 2022 will need to be made this financial year to enable sufficient time for those decisions to be implemented before the finish date of the service contracts.”

Councillor Eyles then asked a supplementary question querying whether the Executive would guarantee that the public toilets in Penrith would remain open.

The Services Portfolio Holder responded that he could not provide a guarantee at this time.

2. Councillor Eyles asked the following question of the Leader:

“Has the analysis of the public response to the previous administration’s engagement process on its Penrith Masterplan been received by Eden Council?”

The Leader responded as follows:

“The analysis of the Penrith Masterplan engagement exercise being carried out by Lancaster University and the University of Cumbria is now largely complete. The information, along with further analysis will be compiled within a report for Members to consider at the Executive meeting in July 2019.”

Councillor Eyles then asked a supplementary question querying whether the report would be presented at Council and published in the public domain in its entirety, subject to the redaction of personal information.

The Leader responded that she could not commit to the report being published in its entirety. However, she could see no reason why research information could not enter the public domain. Further consultation will be considered by the Executive in due course.

E/5/06/19 Corporate Performance Management Framework - Leader

Members considered report CE10/19 from the Chief Executive which sought to update the Executive on the Council’s performance in 2018/19 and outlined the revised arrangements for reporting performance under the new performance management framework.

Proposed by Councillor Derbyshire
Seconded by Councillor Greenwood

and **RESOLVED** that:

1. the Council’s performance in 2018/19 be noted; and
2. the new performance management framework for 2019/20 onwards be endorsed.

Reason: To enable members to be updated on the Council’s performance for 2018/19 and to enable revised arrangements for reporting performance under a new performance management framework.

E/6/06/19 Interim Support for Senior Management Team - Leader

Members considered report CE11/19 from the Chief Executive which sought to update the Executive on action the Chief Executive has taken in relation to bringing in interim capacity and support to the Council's senior management team.

The Leader confirmed that the confidential Appendix B attached to this report would be discussed as an open public item.

In accordance with Rule 5a of the Executive Procedure Rules Councillor Nicolson asked a series of questions.

Councillor Nicolson requested the specific reference within the Constitution which allows the Chief Executive to appoint consultants.

The Leader responded that the Chief Executive has power to issue orders and accept tenders for services provide compliance is made with all the relevant Accounting and Audit Rules and Procurement Rules of the Council under paragraph 6 schedule 2 of the constitution paragraph b) i) (8).

Councillor Nicolson queried why the assignments were not formally the subject of a competitive tender, given that the cost of employing the two consultants was in excess of the threshold for a key decision within the Council.

The Leader responded that with regard to the Strategic Adviser People and Places a competitive exercise was carried out as referred to in paragraph 8.2.3 of the report. The rationale for the process with regard to the Strategic Adviser Transformation and Customers was set out at para 8.2.4 of the report.

Councillor Nicolson asked why the HR and Appeals Committee had not been involved in the consideration for the appointment of the Strategic Adviser People and Place and the Senior Adviser Transformation and Customers.

The Leader responded that this related to contracts for an adviser rather than a person with delegated powers. It was therefore a matter which lies within the powers of the Executive rather than HR and Appeals Committee. She stated that the Chairman and Deputy Chairman of the HR and Appeals Committee had been consulted.

Councillor Nicolson asked for details of what other costs were included in the £99,800 and the agreed daily rates for the consultants.

The Leader responded that the costs were as stated within the reports at para 8.1.1. It was not appropriate to provide any further details.

Councillor Nicolson asked what arrangements would be made for the Strategic Adviser People and Place to consult with the Directors of Heart of Cumbria Ltd before recommendations on future arrangements are made.

The Leader responded that it was envisaged that the Strategic Adviser would consult with the board of Heart of Cumbria, the precise details of how that would take place were a matter for discussion between the Board and the Adviser.

The Leader confirmed that written answers would be provided for all the questions asked by Councillor Nicolson.

Councillor Eyles asked whether the Heart of Cumbria would become subject to scrutiny by one of the Scrutiny Committees.

The Leader responded that priorities for Scrutiny were determined by the Scrutiny Co-ordinating Board and not the Executive.

Proposed by Councillor Greenwood
Seconded by Councillor Rudhall

and **RESOLVED** that Executive noted the two interim arrangements which had been set up and the associated means of selection.

Reason: The external capacity will bring much needed drive and capacity to a number of key corporate priorities and enable swift progress to be made on a range of urgent and pressing projects.

E/7/06/19 Nomination as an Asset of Community Value - Coronation Gardens, Lazonby - Resources Portfolio Holder

Members considered report G51/19 from the Director of Corporate Services which sought to consider the nomination of Coronation Gardens, Lazonby as an Asset of Community Value under the Localism Act 2011.

Proposed by Councillor Greenwood
Seconded by Councillor Derbyshire

and **RESOLVED** that the nomination of the Coronation Gardens, Lazonby as an asset of community value be accepted.

Reasons:

1. To carry out the Council's statutory duty as the determining authority under the provisions of the Localism Act 2011.
2. To carry out the Council's duties in conserving the local environment and protecting the wellbeing of the local community of all ages.

E/8/06/19 Nomination as an Asset of Community Value - Will Pool, Lazonby - Resources Portfolio Holder

Members considered report G52/19 from the Director of Corporate Services which sought the nomination of Will Pool, Lazonby as an Asset of Community Value under the Localism Act 2011.

Proposed by Councillor Greenwood
Seconded by Councillor Derbyshire

and **RESOLVED** that the nomination of Will Pool, Lazonby as an asset of community value be accepted.

Reasons:

1. To carry out the Council's statutory duty as the determining authority under the provisions of the Localism Act 2011.
2. To carry out the Council's duties in conserving the local environment and protecting the wellbeing of the local community of all ages.

E/9/06/19 Nomination as an Asset of Community Value - Sports Field, Lazonby - Resources Portfolio Holder

Members considered report G53/19 from the Director of Corporate Services which sought the nomination of the Sports Field, Lazonby as an Asset of Community Value under the Localism Act 2011.

Proposed by Councillor Rudhall
Seconded by Councillor Sharp

and **RESOLVED** that the nomination of the Sports Field, Lazonby as an asset of community value be accepted.

Reasons:

1. To carry out the Council's statutory duty as the determining authority under the provisions of the Localism Act 2011.
2. To carry out the Council's duties in conserving the local environment and protecting the wellbeing of the local community of all ages.

E/10/06/19 Any Other Items which the Chairman decides are urgent

No items of urgent business were raised at this meeting.

E/11/06/19 Date of Next Scheduled Meeting

The date of the next scheduled meeting was confirmed as 2 July 2019.

The meeting closed at 6.55 pm

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