

Eden District Council

Executive Minutes

Date: 8 October 2019 Venue: Town Hall, Penrith Time: 6.00 pm

Present:

Chairman: Councillor V Taylor

Vice Chairman: Councillor M Robinson

Councillors: J Derbyshire L Sharp
K Greenwood M Tonkin
M Rudhall

Officers Present: Les Clark, Director of People and Place
Fiona Greenway, Interim Assistant Director Finance
Rose Rouse, Chief Executive
Alexander Strickland, Interim Assistant Director Governance

Democratic Services Officer: Vivien Little

E/39/10/19 Apologies for Absence

There were no apologies for absence received at this meeting.

E/40/10/19 Minutes

RESOLVED that the minutes E/25/09/19 to E/38/09/19 of the meeting of the Executive held on 3 September 2019 be confirmed and approved by the Chairman as a correct record of those proceedings.

E/41/10/19 Declarations of Interest

No declarations of interest were made at this meeting.

E/42/10/19 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/43/10/19 Questions from Members

The following questions from Members had been received under Rule 5 of the Executive Procedure Rules of the Constitution.

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

“Who is taking responsibility for the day to day running of Heart of Cumbria Limited after the resignation of two of the company’s three directors?”

The Leader responded as follows:

“The day to day running comprises two areas – property repairs/management and the company secretary function. The property management issues are being dealt with by the Council’s Property & Estates Team whilst the Company Secretary function is being carried out by the Director of Corporate Services and the Assistant Director of Governance.”

Councillor Eyles then asked a supplementary question querying where the authority of performing those functions derived from.

The Leader responded that in respect of the arrangements which had been made, they were interim arrangements, and the company was a Council owned company, and therefore the function lay there. There was no legal requirement for Heart of Cumbria Limited to have a Company Secretary.

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

“When was the last time the director of Heart of Cumbria Limited attended the registered office of the company?”

The Leader responded as follows:

“Gareth Owens attended a meeting with officers of the Council on Thursday 3rd October.”

There was no supplementary question.

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

“When is the aforementioned director next expected to attend the registered office?”

The Leader responded as follows:

“At the next Annual General Meeting or at the next Board Meeting, whichever shall occur first.”

Councillor Eyles then asked a supplementary question asking what the quorum was for a board meeting.

The Leader responded that she would respond with a written answer.

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

“In the absence of a Company Secretary for Heart of Cumbria Limited who is responsible for attending to the legal obligations of the company?”

The Leader responded as follows:

“There is no legal requirement for the company to have a Company Secretary. The function shall however be discharged by the Director of Corporate Services and the Assistant Director of Governance.”

The Interim Assistant Director Finance arrived at 6.05pm.

Councillor Eyles then asked a supplementary question asking if all the requirements of Companies House had been met in regard to the special resolution of Heart of Cumbria Limited.

The Leader reiterated that the arrangements in place were interim arrangements, and that Companies House had been informed of the status of the Company. A full written answer would be supplied to Councillor Eyles.

E/44/10/19 Supporting Signature Events - Commercial Services Portfolio Holder

Members considered report PP21/19 from the Assistant Director Planning and Economic Development which asked Members to consider financially supporting Signature Events in 2020/21.

Proposed by Councillor Robinson
Seconded by Councillor Tonkin

and **RESOLVED** that:

1. The Executive agrees a sum of £30,000 to support Signature Events in 2020/21.
2. The sum be made up from a supplementary estimate of £20,000 from reserves and a carry forward of £10,000 from an underspend in the 2019/20 Signature Events Budget.

Reason: To provide a level of surety of funding to organisation staging events which have economic benefit to Penrith and the wider District.

E/45/10/19 Annual Review of Council Tax Reduction Scheme - Resources Portfolio Holder

Members considered report F43/19 from the Director of Corporate Services which sought to undertake the Annual Review of the Council Tax Reduction Scheme (CTRS) and to decide whether the Scheme should be amended for 2020/21, or remain unchanged.

Proposed by Councillor Greenwood
Seconded by Councillor Robinson

and **RESOLVED** that:

1. A recommendation be made to Council on 9 January 2020, that the Council Tax Reduction Scheme for 2020/21 should remain unchanged from that in 2019/20, except for a minor change to disregard both 'urgent and exceptional' payments made

under the formal Windrush Compensation Scheme, the 'We Love Manchester Emergency Fund' and 'London Emergency Trust'.

2. The Police and Crime Commissioner and the County Council be asked for their views on the scheme.
3. The next Annual Review of the Council Tax Reduction Scheme be reported to the Executive in the summer of 2020.

Reason: The proposal to continue the current Council Tax Reduction Scheme ensures that residents on low incomes continue to be supported to meet their Council Tax liabilities. As part of a wider corporate exercise on reducing operating costs, work should commence on reviewing options for April 2021.

E/46/10/19 Regulation of Investigatory Powers Act - Annual Update and Review of Corporate Policy and Guidelines - Resources Portfolio Holder

Members considered report G64/19 from the Director of Corporate Services which sought to enable consideration to be given to an update on the use of the Regulation of Investigatory Powers Act 2000 ("RIPA") by Council officers and a revision of the corporate policy and guidelines relating to RIPA.

Proposed by Councillor Greenwood
Seconded by Councillor Derbyshire

and **RESOLVED** that:

1. it be noted that there have been:
 - (a) No authorisations sought or granted by the Council under the Regulation of Investigatory Powers Act 2000 between 1 May 2018 and 31 April 2-19; and
 - (b) No non-statutory authorisations for covert surveillance sought or granted by the Council between 1 May 2018 and 31 April 2019.
2. the revised Policy and guidelines be adopted;
3. the recommendations from the Inspection of the Investigatory Commissioners Office be implemented; and
4. the observations from the Inspection of the Investigatory Powers Commissions Office designed to reflect best practice be implemented.

Reason: To enable consideration to be given to an annual update and revised policy.

E/47/10/19 Any Other Items which the Chairman decides are urgent

No items of urgent business were raised at this meeting.

E/48/10/19 Date of Next Scheduled Meeting

The date of the next scheduled meeting was confirmed as 5 November 2019.

The meeting closed at 6.23 pm

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