

ST EDMUNDSBURY BOROUGH COUNCIL

DEMOCRATIC RENEWAL WORKING PARTY

**Minutes of a meeting held on Thursday 9 February 2012 at 5.00 pm
in Room GFR12, West Suffolk House, Western Way, Bury St Edmunds**

PRESENT: Councillor Mrs P A Warby (Chairman)
Councillors Clifton-Brown, Farmer, Mrs Levack, Redhead, Stevens
(substituting for Cox), and Thorndyke

29. Substitution

The Working Party was advised of the following substitution:-

Councillor Stevens substituting for Councillor Cox.

30. Apologies for Absence

An apology for absence was received from Councillor Cox.

31. Minutes

The minutes of the meeting held on 24 November 2011 were confirmed as a correct record and signed by the Chairman.

32. Declarations of Interests

Members' declarations of interests are recorded under the item to which the declaration relates.

33. Member Development: Update

The Working Party considered Report C343 (previously circulated) which sought approval for an external development session evaluation form and a training needs analysis form.

At the last meeting the Working Party was advised that there was one action outstanding in the Member Development Charter Action Plan to create an external development session evaluation form. A draft form had been considered, and Members recommended extensive amendments. An amended copy of the form was attached as Appendix A to this report. The Working Party endorsed the format of the form, and suggested that 'including copies of slides/information where possible' be emboldened.

Also at the last meeting officers were asked to circulate the next Training Needs Analysis (TNA) to Members in March 2012, with a two week deadline, and results be brought to the Working Party on 26 April 2012. Attached as Appendix B to the report was a draft of the Training Needs Analysis form. The Working Party recognised that the form did not need to be as extensive as the one circulated in May 2011 following the Borough Council elections. Again, the Working Party endorsed the format of the form. The Working Party agreed that the covering letter that would be sent to all Members with the form should clearly state the need for all Members to complete the form, that the form was used to formulate the Member Development Programme, and that forms were treated as confidential. There would also need to be a more proactive system for ensuring as many returns as possible were received, and it was suggested Group Leaders be involved if considered advisable.

Also at the last meeting the Working Party asked for a breakdown of the number of Members attending each development activity, and the number of events attended by individual Members. This information had been circulated to the Working Party following the meeting, and an updated version was attached at Appendix C to the report. A wide ranging discussion was held on the statistics, which concluded that there needed to be a more proactive approach to encourage Members to attend development events, especially those relating to regulatory functions of the Council. The Scrutiny Manager was asked to advise Group Leaders of any full Members or Substitute Members of the Development Control Committee who had not attended relevant training since May 2011.

Action 6 of the Member Development Charter Action Plan asked that the Working Party be kept up to date with the budget for Member Development. The current status of this year's Member Development budget was provided in Appendix D. In response to questions, the Working Party was informed that:-

- (1) the £2,000 allocated to the seven module planning training was only a contribution, and not the full cost. It was agreed that Members would be informed of the full cost of this training programme and how it was being funded; and
- (2) any underspends on the budgets in a given financial year were not carried over to the following year.

RESOLVED:- That

(1) Member Development Charter Action Plan

The external development session evaluation form, attached as Appendix A to Report C343, be approved.

(2) Training Needs Analysis

The Training Needs Analysis form, attached as Appendix B to Report C343, be approved.

34. Amendments to the Constitution: Licensing

(The Chairman agreed that this item could be considered out of order to that published on the agenda.)

The Working Party considered Report C345 (previously circulated) which sought approval to amendments to the Constitution in respect of the Council's and officers responsibilities for licensing functions.

It was expected that provision would need to be made for a number of changes to the licensing function in respect of changes to the Licensing Act 2003, which would be effected by the Police Reform and Social Responsibility Act 2011. The Head of Environmental Health and Housing and Licensing Services Manager had reviewed the delegations in the Constitution. Attached as Appendix A were the amendments required to the Constitution in respect of the responsibility of the Licensing and Regulatory Committee and the scheme of delegation to officers.

The Licensing Services Manager emphasised that these amendments were only temporary until the exact nature of the changes were known.



RECOMMENDED:-

That the amendments to the Council's Constitution regarding the licensing function, detailed in Appendix A to Report C345, be approved.

35. Updating the Contract Procedure Rules

The Working Party considered Report C344 (previously circulated) which sought approval for the Head of Legal and Democratic Services and the Head of Finance to amend the Contract Procedure Rules in order that they provided for electronic tendering, that tendering thresholds were aligned to those of other Councils in Suffolk, and generally brought up to date.

The Borough Council's participation in a county-wide electronic tendering and contract management system in Suffolk required the Borough Council's Contract Procedure Rules contained within Part 4, Rules and Procedures, of the Council's Constitution to be updated. The county-wide Procurement Steering Group recognised the need to align the tender thresholds and agreed to align these for all a district and borough councils within Suffolk. The Borough Council's current thresholds and the new, aligned thresholds were detailed in Appendix 1 to the report.

Furthermore, it was considered that this was a good opportunity to examine the current Contract Procedure Rules and make positive changes to assist officers of the Borough Council when undertaking a procurement exercise.

On 1 January 2012 new thresholds for public sector procurement set by the European Commission came into force. The thresholds were updated every two years, and the new limits were also detailed in Appendix 1 and would apply until 31 December 2013.

The Working Party recognised the need to change the tendering thresholds to allow participation in the county-wide electronic tendering and contract management system. However, the Working Party was extremely concerned over the proposed changes to the rules for procurement below £10,000 as this was a significant change. An individual officer could purchase up to the value of £10,000 by selecting one suitable supplier, therefore, only one quotation would be received. The Working Party was concerned over how the officer could judge value for money when only one quotation was required. The Working Party wished to be informed as to the internal controls that would be exercised over individual officers, and also the safeguards for the officers involved in the procurement process. These questions could not be answered at this meeting.

The Working Party concluded that, as an interim measure, the following amendments be made to Appendix 1:-

Threshold: Value of Goods, Services or Works	Tendering Procedure
Less than £500	No tendering procedure required.
More than £500 but less than £10,000	Three verbal or written quotations preferred but a minimum of two written/hard copy required.
£10,001 to £50,000	Three quotations required in hard copy from suitably qualified suppliers.



RECOMMENDED:- That

- (1) *the tendering thresholds contained within the Contract Procedure Rules, Part 4, Rules and Procedures, of the Council's Constitution, be amended in accordance with Appendix 1 of Report C344 as amended above; and*
- (2) *the Head of Legal and Democratic Services and the Head of Finance be granted delegated authority to amend the Contract Procedure Rules contained within Part 4, Rules and Procedures, of the Council's Constitution, in order that they provide for electronic tendering and are generally brought up to date.*

36. Representation on Outside Bodies: Annual Report

The Working Party considered Report C346 (previously circulated) which sought consideration of the procedures for representatives of the Borough Council on outside bodies to report back on the work of the body to other Members of the Council.

Currently the Borough Council required that monitoring of its representation on outside bodies was either undertaken by the Grant Working Party, where that organisation received a grant from the Council, or by the production of an annual report to full Council. The annual report to full Council was produced after consideration by the Democratic Renewal Working Party. Attached as Appendix A to the report was a copy of the last report to the Working Party, considered at its meeting on 7 June 2010. Attached as Appendices B and C were the annual reports to full Council on 29 June 2009 and 29 June 2010 respectively.

Appendix D listed the representatives on Outside Bodies for the current year, annotated with reporting arrangements.

The Working Party held a wide ranging discussion on options for Members to report back. However, it was concluded that the current arrangements should continue for this year, and that a more proactive approach be made to ensure that Members make appropriate returns. Depending on the success of this years exercise would determine the comments annual report to Council.

RESOLVED:-

That the current system for the Borough Council's representatives on Outside Bodies to report back to Council continue for a further year.

37. Date of Next Meeting

The Working Party confirmed that it would meet on Thursday 26 April 2012 at 5.00 pm.

The Working Party also confirmed that future meetings would continue to be held on Thursdays at 5.00 pm.

The meeting concluded at 6.22 pm.

**MRS P A WARBY
CHAIRMAN**