
PROPOSED CHANGES TO CONSTITUTION: 1) PLANNING TERMS OF REFERENCE – CIL - ENFORCEMENT; 2) CONTRACT PROCEDURE RULES – TO ALLOW FOR E-TENDERING PROCEDURES

Committee: Full Council

Date: 21 February 2013

Author: Head of Legal and Democratic Services/Monitoring Officer

[M351]

1.0 ISSUE

1.1 To consider proposed changes to the Council's Constitution.

2.0 RECOMMENDATIONS

2.1 To authorise the Monitoring Officer to amend the Constitution, namely the:

- a) Planning Committee's Terms of Reference, to include delegated powers to the Head of Planning & Sustainable Development to deal with operational issues relating to CIL enforcement and the Head of Legal & Democratic Services to authorise any Magistrates Court action;
- b) Contract Procedure Rules (rule 8) – to allow for e-tendering to be undertaken (in lieu of postal tendering)¹

3.0 BACKGROUND/OPTIONS

Planning Committee's Terms of Reference:

3.1 Following the implementation of the CIL regime (from 1 February 2013), the Council will need to implement procedures for enforcement and possible Court action.

Contract Procedure Rules

3.2 The Council currently only accepts postal tenders and to allow for greater flexibility/ or to access call-off arrangements under existing framework agreements, the Council should have the ability to use e-procurement. This would only be on a pre-arranged and organised basis. It is, in any event, anticipated that this will become a legal requirement on or about 2014 – and this will allow the Council to pre-emptively look at the issue and prepare for any changes.

4.0 ARGUMENTS/CONCLUSIONS

4.1 No additional arguments/conclusions.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

¹ On a pre-authorised/ pre-arranged basis.

- 5.1 Other than officer time, there are no financial implications for amending the Constitution.
- 5.2 Equality Impact Assessment (INRA): the amendments will not change the manner in which services or policies are delivered. No impact assessment is therefore required.
- 6.0 APPENDICES
- 6.1 None.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
	Room 113 The Grange Ely	Jeanette Thompson Head of Legal and Democratic Services Tel: 01353 665555 E-mail: jeanette.thompson@eastcambs.gov.uk