

**CITY OF PLYMOUTH  
MOUNT EDGCUMBE JOINT COMMITTEE**

**Joint Chair:** Councillor Reynolds, Plymouth City Council  
Councillor Trubody, Cornwall Council

**CMT Member:** Director for Corporate Support.  
Plymouth City Council

**Senior CC Officer** Head of Environment, Environment, Planning  
and Economy Directorate, Cornwall Council

**Committee:** Mount Edgcumbe Joint Committee

**Date:** 25 June 2010

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**Ref:** LT/

**Part:** I

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**Executive Summary:**

1. This report sets out proposals in relation to the governance of Mount Edgcumbe Joint Committee and the management of the undertaking. These proposals have been formulated as a result of concerns raised by members and officers, who have been asking that the current officer support from the two parent authorities be clarified and that the constitution be improved.
2. It recommends that the Joint Committee recommends that the Cabinets of each of the constituent councils approve and adopt the changes to the terms of reference for the Joint Committee, as set out in the appendix to this report, and that each Council makes any necessary consequential amendments to that Council's constitution.
3. It also recommends that a business planning framework be adopted that aligns the governance arrangements for the undertaking more closely with the cabinet style of governance in place in each Council.

Additionally, proposals are put forward asking that the committee formally adopt a business planning approach so that the management of the undertaking aligns more closely with the parent authorities and gains the support of the respective cabinet members.

## Corporate Plan 2010-2013

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### Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Not applicable.

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### Background papers:

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| Head<br>of Fin<br>SA  |  | Head<br>of<br>Leg<br>LT |  | Head<br>of HR |  | Head<br>of AM |  | Head<br>of IT |  | Head of<br>Strat<br>Proc |  |
| Cornwall Council: M E |  |                         |  |               |  |               |  |               |  |                          |  |

## 1 Introduction

- 1.1 The present arrangements for governance of Mount Edgcumbe date back to 1973 when Joint Committee was established by Cornwall County Council and Plymouth City Council. Since that time there have been significant developments in the way both Councils are managed, Cornwall Council has been established as a successor authority to Cornwall County Council and both Councils have adopted a cabinet style of governance.
- 1.2 This makes a review of the constitutional arrangements for the Committee overdue, and at the same time the Joint Committee has established an officer working group to consider the future operation of and monitor the management of Mount Edgcumbe.
- 1.3 This report recommends the Joint Committee asks the Cabinet of each of its constituent councils to adopt new terms of reference set out at appendix 1 and amend their respective constitutions to reflect this.

## 2 Background

- 2.1 The Mount Edgcumbe Joint Committee is a Committee of Plymouth City Council and Cornwall Council and comprises 7 members from each authority. As a result of regulations, it carries out executive functions on behalf of the two councils, which means it is a Joint Committee of the Cabinet of each Council. It has not been regularly reporting to the Cabinet and the proposed arrangements will set out how it is anticipated this will happen in future.
- 2.2 At present the Committee currently has terms of reference, which are described as a Constitution, which may have led to some confusion. The

Committee operates much as any other Committee in terms of voting, quorum, minute taking, and the requirements for members to disclose any personal interest they have in the business of the Committee.

### **Purpose**

- 2.3 The Councils formed the Joint Committee “for the purposes of the management of the Country Park” within the budgets approved by the Councils on an annual basis and in line with agreed terms of reference about the general ethos of management of the Country Park and House (see Appendix 2). The emphasis for management is on the protection of the Parks and Environmental and Heritage Value, protection of public access, promotion of sustainable employment opportunities and ensuring the house remain a single entity. This is of course subject to variation by the parent authorities and future management options for the House and Country Park are the subject of the current debate by the Officer’s Working Group which has been set up by the Joint Committee.
- 2.4 The Joint Committee is required to comply with Plymouth City Council’s Contract Procedure Rules (Contract Standing Orders) when letting contracts and all tenders will need to be published in the name of both councils. In addition Cornwall requires all contracts for more than £50,000 to go through their procurement assurance scheme and this will apply to contracts relating to Mount Edgumbe.

### **Contracts**

- 2.5 Mount Edgumbe needs to be able to make contracts; however as the Joint Committee is not a separate legal organisation, either the contracts must be entered into by the cabinets of each of the joint councils, or they need to give delegated authority to permit officers of each of the councils to contract on their behalf. It is recommended that the power to approve contracts that are within the annual budget provision for that particular area of expenditure is delegated to the Director for Community Services in Plymouth in consultation with the Director for Environment Planning and Economy in Cornwall . It is recommended that any other contracts are approved by Cabinet.

## **3 Recommendations about who does what in the future**

- 3.1 This report recommends an annual business planning process is adopted which sets the framework for the development of Mount Edgumbe and allows members to monitor progress. Within such a process the Joint Committee would have a key role in proposing the business plan to Cabinet and monitoring performance against the business plan. The Joint Committee would also be responsible for ensuring appropriate systems are in place, for proper financial and legal management practices, proper audit and risk management procedures and proper strategic management of the business to achieve value for money. The Committee would also

carry out an appropriate inspection of the house and country park on an annual basis and undertake appropriate consultation with key stakeholders. It is recommended that the remaining day to day responsibilities for the management of Mount Edgcumbe are delegated to the Director for Community Services in Plymouth in consultation with the Director for Environment Planning and Economy in Cornwall.

- 3.2 To avoid confusion and make sure that the Cabinet of each authority are involved as appropriate it is recommended that the Mount Edgcumbe terms of reference are amended to show who in each Council is responsible for what functions as shown below:

**Each Council will:**

- decide the annual budget for the Country Park and House;
- decide whether to agree extra spending outside the budget.

**Each Cabinet will:**

- agree the business plan;
- recommend the annual budget to council as part of the budget process;
- take decisions that would result in each of the councils spending or saving more than £250,000 i.e. total 500,000;
- decide whether to recommend ways of meeting any extra spending outside the budget to Council;
- appoint a cabinet member with responsibility amongst other things for Mount Edgcumbe;
- lease property or grant easements in the country park where this is for less than best consideration or for more than 10 years.

**The Cabinet Members will:**

- Decide whether to recommend that cabinet approves variations to the business plan that require extra spending;
- Agree variations to the business plan that do not require extra spending.
- *In Plymouth spending between £100,000 and £500,000 must be agreed by Cabinet members; in Cornwall this level of spending can be agreed by the Director assuming it is within the business plan – appropriate limits for spending by Directors and cabinet members will need to be considered by the committee.*

**The Joint Committee will;**

- Propose a business plan to cabinet;
- Monitor performance of the undertaking against the business plan and recommend variations to the business plan to the Cabinet Members;
- Monitor performance of the undertaking to ensure value for money is achieved;
- Ensure the management of the country park and estate accords with proper financial and legal practice appropriate to local authorities;
- Ensure proper audit and risk management procedures are in place;
- Carry out an appropriate inspection of the house and country park on an annual basis;
- Undertake appropriate consultation with key stakeholders.

The Director for Community Services in Plymouth in consultation with the Director for Environment Planning and Economy in Cornwall will have delegated authority to make sure everything else is done.

**4 Recommendation**

It is recommended that the Joint Committee asks the Cabinets of each of its constituent councils to adopt new terms of reference as set out at appendix 1 and amend their respective constitutions to reflect this.