



GOVERNANCE COMMITTEE

PARKSIDE, STATION APPROACH, BURTON STREET, MELTON MOWBRAY

6 JUNE 2017

PRESENT

Councillors P. Cumbers (Chair), T. Beaken, M. Blase, P.M. Chandler,
J. Douglas, P. Faulkner, J. Illingworth,
J. Simpson

Head of Central Services,
Head of Communications and Monitoring Officer,
Head of Communities and Neighbourhoods,
Head of Regulatory Services,
Head of Internal Audit,
Revenue Business Partner
Administration Assistant – Communications & Member Support

Vishal Savjani, Ernst Young (External Auditor)
Tom Joy, Ernst Young (External Auditor)

G1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rhodes. Councillor Posnett was also not present.

G2. MINUTES

The Minutes of Governance Committee held on 4 April 2017 were confirmed and authorised to be signed by the Chair.

G3. DECLARATIONS OF INTEREST

There were no declarations of interest.

RECOMMENDATIONS FROM OTHER COMMITTEES

There were no recommendations from other Committees.

G4. UPDATE ON DECISIONS

On behalf of the Chief Executive, the Head of Communities and Neighbourhoods submitted a report (copies of which had previously been circulated to Members) which provided an update on decisions from the previous meeting of the Committee.

There being no comments or questions forthcoming from Members, it was

RESOLVED that the Update on Decisions document be noted.

G5. CAPITAL PROJECT MONITORING

On behalf of the Chief Executive the Head of Central Services

- (a) submitted a table (copies of which had previously been circulated to Members) advising Members of procurement and procedural stages of a sample of contracts;
- (b) provided an overview of the Public Conveniences project, highlighting that agreement had been given by the Community and Social Affairs Committee for the provision of two unstaffed, semi automatic toilets at Wilton Road and St. Mary's Way;
- (c) confirmed that there was an 'active' Risk Log and a Project Plan in place (implemented at the commencement of the project and reviewed throughout its duration). The last Project Team meeting had taken place on 10 May 2017 and risks had been reviewed and the Project Plan updated at that time;
- (d) advised that the Project Team were working with the Procurement Unit to ensure correct procedures were followed in relation to all aspects of the project and there were no concerns over the governance of the project.

The Head of Communities and Neighbourhoods

- (a) provided an overview of the Granby House project, highlighting that the project was 'progressing well, with major works underway, which had already delivered significant improvements to Granby House'. Crucially, the tenants were pleased with the work and recognised that it aimed to tackle fuel poverty. It was anticipated that the project would complete in July 2017;
- (b) confirmed that the main issues related to safety and quality of works while enabling tenants to remain in their homes. The current lift at Granby House required upgrade and options to facilitate this while minimising disturbance to residents were being considered;
- (c) advised that there was a Risk Log in place and this was reviewed at a monthly project meeting.

A Member queried if 'a lessons learned' review would be undertaken on the project and the Head of Communities and Neighbourhoods confirmed such information would be captured in the project's Closure Report.

Another Member raised the issue of storing scooters at Granby House, asking if this would be resolved through the improvement works. The Head of Communities and Neighbourhoods acknowledged the problem and advised that a facility to store the scooters would be provided.

The Head of Regulatory Services

- (a) provided an overview of the FEZ project, confirming that work relating to the Local Development Order had completed last year but wider promotion and dissemination was required (to link to all development activity, sources of grant and promotions). The project had met its remit was and was close to meeting this Council's ambitions.

There being no comments or questions from Members it was

RESOLVED that the Capital Project Monitoring document be noted.

G6. INTERNAL AUDIT ANNUAL REPORT 2016/17

The Head of Internal Audit

- (a) submitted a report (copies of which had previously been circulated to Members) the purpose of which was to update Members on progress made in delivering the 2016/17 Annual Audit Plan and key findings arising from audit assignments completed;
- (b) summarised the key areas on the delivery of the Internal Audit Plan which included an update on current assignments;
- (c) highlighted the opinion statement on page 2 of Appendix A. An opinion of Sufficient Assurance over the Council's control environment for 2016/17 had been issued by Internal Audit. This was consistent with the last few years and generally consistent with neighbouring Authorities;
- (d) advised that Internal Audit had issued one limited report during the year and had identified areas of weakness in investigation and consultancy work undertaken. However, based on the actions taken by Management, this did not reduce the overall opinion of Internal Audit;
- (e) stated that most of the audit reports had been reported to the Committee during the financial year but two had been finalised since the last Committee meeting:-
 - Contract Procedure Rules Compliance
 - Fixed Assets;
- (f) confirmed that of the actions arising from audit reports during 2016/17, 85% of those due had been implemented during the year;

(g) advised that also within the report was an overview of the performance of the Internal Audit service and the value added by the service to this Council in 2016/17.

There being no questions from Members it was

RESOLVED To receive and note the Internal Audit Annual Report and Assurance Opinion for 2016/17.

G7. INTERNAL AUDIT CHARTER AND STRATEGY

The Head of Internal Audit

- (a) submitted a report (copies of which had previously been circulated to Members) which provided the Committee with a copy of the Internal Audit Charter and Strategy for review and approval;
- (b) stated that the Charter and Strategy set out how the Internal Audit service would be delivered and that it had been updated to reflect the best practice across LGSS;
- (c) highlighted a key change the updated Charter introduced, relating to the assurance opinions (previously Substantial Assurance, Sufficient Assurance, Limited Assurance, No Assurance). They would be:-
 - Substantial Assurance
 - Good Assurance
 - Satisfactory Assurance
 - Limited Assurance
 - No Assurance

An opinion would be given on design of controls, compliance with controls and on the overall impact of the organisation.

There being no questions from Members it was

RESOLVED that the Internal Audit Charter and Strategy be approved.

G8. COUNTER FRAUD AND CORRUPTION POLICY 2017

The Head of Internal Audit

- (a) submitted a report (copies of which had previously been circulated to Members) which provided the Committee with a copy of the Counter Fraud and Corruption Policy for review and approval;
- (b) provided an overview of the updated Policy, advising that it set out how the Council prevented, detected, investigated and recovered money from frauds and the roles and responsibilities of all involved. This was consistent with best practice adopted elsewhere.

A Member highlighted that the word 'governors' had been included in error at 1.4 of the Policy and the Head of Internal Audit confirmed this would be amended.

There being no further comments or questions from Members it was

RESOLVED that the Internal Fraud and Corruption Policy be approved.

G9. SUBSISTENCE ARRANGEMENTS

The Head of Communications

- (a) submitted a report at the request of Full Council (copies of which had previously been circulated to Members) which enabled the Committee to consider whether refreshments be provided before evening meetings and if so the budget implications of doing so and refer its recommendations back to Full Council;
- (b) provided a brief overview of the report, highlighting the options for Members consideration so that recommendations could be made to Full Council;
- (c) advised that Trade Unions had been consulted on the matter, as they had previously highlighted discontinuing the provision of a buffet service before meetings was an effective cost saving and preferable to other options such as staff reductions;

A Member commented that this matter required serious consideration due to the lengthy duration of Committee meetings.

Another Member agreed and stated that it was difficult to foresee the duration of meetings. If a lengthy meeting was likely, it was reasonable to expect some sustenance. However, a buffet prior to every meeting would be 'overkill'.

A further comment was made by a Member suggesting that should the provision of a buffet service be approved, guidance from Committee Chairs would be required to determine the specific requirements prior to each individual meeting.

A Member highlighted that consideration should also be given to the impact of this decision on Officers, who had completed a full working day before attending an evening meeting. It would be helpful to receive input from them.

Another Member noted that valid points had been raised and commented that Members had a responsibility with regards to the duration of meetings. They said, 'Our conduct determines the length of meetings. We can be more business like to reduce time and be efficient without rushing decisions'.

A Member expressed their agreement with previous comments and advised that should a buffet option be approved, it would not have to be

for all Members. This Member advised that they could be discounted from cost calculations, as they would always be able to make their own arrangements for refreshments prior to a meeting. They further stated that their concern was for Officers but added that a buffet service before every meeting was not justified.

During Members' discussion, it was suggested that a tuck shop or vending machine could be better alternatives to the buffet option, stating this enabled those who wished to have something more substantial than a biscuit to eat could do so. However, Members agreed that a tuck shop was not feasible, as it would have to be staffed. The Head of Central Services recalled that the provision of vending machines (containing healthy option snacks) had been explored in relation to a previous staff query but had not proved viable. She explained that companies provided vending machines free of charge, on the basis of the profit they made from snacks sold. Due to limited use, this Council would have to lease the machines, which could prove more expensive than the buffet service option.

A Member acknowledged that some Members had to travel a considerable distance to attend meetings and others had work commitments, which made it difficult for them to eat prior to the meetings but highlighted that there had been a lot of waste when a buffet service had been provided previously.

A Member commented that a lot of problems had been solved when previously, Members had had the opportunity to gather for refreshments before meetings and that it had brought comradery between Members.

Another Member suggested that more research was required and more consideration be given to the matter by Members of this Committee before putting a reasonable, sound, sensible recommendation to Full Council.

Members agreed and further suggested that they provide any additional comments to the Head of Communications via email. Following this, the Chair would meet with both the Head of Communications and the Senior Democracy Officer to discuss a way forward and bring the additional information to this Committee on 19 September.

RESOLVED that consideration of the provision of refreshments before evening meetings starting after 5:30pm be deferred to the 19 September meeting of this Committee to enable this Committee to consider additional information and put a reasonable, sound, sensible recommendation to Full Council.

G10. RECONSTITUTION OF TASK GROUPS

Award of Merit Task Group

The Committee was asked to

- (a) reconstitute and appoint Members to the Award of Merit Task Group which usually included the current Mayor and Deputy Mayor;

- (b) consider and agree the terms of reference in respect of the Mayor's Awards as set out in the appendix

A brief discussion ensued about the fairly open nature of the membership of the Task Group and that it was useful to have past Mayors sitting on the Group as well as the current Mayor and Deputy Mayor. It was noted that Councillors Cumbers and Wyatt wished to sit on the Group.

Members also raised the possibility of merging the Group with the Melton Times, commenting that the primary purpose of this was to ensure a sufficient number of suitable award nominees. It was noted that a high number of quality nominees had been received for the 2016/17 Awards and it was suggested that the Group discuss this option in more detail.

There was a further discussion around Members of the Task Group providing nominations, the main points of which were that:-

- Members of the Group did not actively promote nominees. They were a route for nominees to be endorsed and as such there was no conflict of interest;
- it would be unfair if Members of the Group could not nominate an individual or group;
- Members of the Group could not vote for nominees.

RESOLVED: that the Mayor's Awards Task Group be reconstituted and the terms of reference as set out in the appendix be agreed;

Performance Management Information Task Group

The Committee was asked to:

- (a) reconstitute and appoint members to the Performance Management Information Task Group;
- (b) consider and agree the terms of reference in respect of the Performance Management Information Task Group as set out below:-
- To have oversight of the Councils Performance Management Information System and monitor the Councils Improvement Plan, as required.
 - To monitor the openness of the Council in its dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.
 - To ensure that the Council has satisfactory measures in place to promote economy, efficiency and effectiveness.
 - To consider reports of inspection agencies and seek assurance that action is taken on any issues raised in these reports.

A Member commented that they had learned much through sitting on the Group and had found the detailed data provided by the Corporate Governance Officer was a great source of information.

The Committee agreed to reconstitute the Performance Management Information Task Group with the following Members:-

- Councillor Blase
- Councillor Chandler
- Councillor Graham
- Councillor Holmes
- Councillor Illingworth

The Committee agreed the terms of reference as stated.

RESOLVED: that the Performance Management Information Task Group be reconstituted and the terms of reference be:

- To have oversight of the Councils Performance Management System and monitor the Councils Improvement Plan, as required.
- To monitor the openness of the Council in its dealings, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.
- To ensure that the Council has satisfactory measures in place to promote economy, efficiency and effectiveness.
- To consider reports of inspection agencies and seek assurance that action is taken on any issues raised in these reports.

G11. CODE OF CONDUCT UPDATE

The Monitoring Officer

- (a) submitted a report (copies of which had previously been circulated to Members) which updated the Committee on the latest position with regard to standards matters including the Code of Conduct, the Registration of Disclosable Pecuniary Interests and Other Interests and any complaints against Councillors dealt with under the Council's process;
- (b) gave a brief overview of the report, confirming that Registration of Disclosable Pecuniary Interests and Other Interests were up to date and she was not aware of any Parish Council issues to draw Members' attention to;
- (c) advised that six formal complaints against Member(s) had been received and were in progress;
- (d) confirmed the appointment of two Independent Persons, subject to references and approval by Full Council. The two existing Parish Representatives remained in post.

A Member queried if all six complaints had been made by the same person and the Monitoring Officer confirmed this was correct.

Another Member commented that he believed it was within the power of the Monitoring Officer to deal expeditiously with such complaints and he

queried if the Member(s) involved in the complaints were promptly made aware of such matters. The Monitoring Officer confirmed that her first action when such complaints were received was to contact the Member(s) involved.

RESOLVED that the update on the position of standards matters including Parishes' Registration of Disclosable Pecuniary Interests and Other Interests and complaints against Councillors dealt with under the provisions of the Localism Act be noted.

G12. **CONSTITUTION UPDATE 2017-18**

The Monitoring Officer

- (a) submitted a report (copies of which had previously been circulated to Members) to enable the Committee to consider items relating to the Council's Constitution for onward referral to the Council for adoption and incorporation into the Council's Constitution;
- (b) gave a brief overview of the report, advising that the Member Allowances Scheme, as approved by Full Council, outlined that Member Allowances would be index linked to the NJC Pay Award;

A Member highlighted that the word 'dependants' had been included at 3.1 of the Member Allowances Scheme in error and the Monitoring Officer confirmed this would be amended.

There being no further comments or questions from Members it was

RESOLVED that

- (1) the Member Allowances Scheme for 2017/18, as approved at Full Council on 8 February 2017 and now in place be noted and following the recent NJC Pay Award of 1.0% the allowances have been increased as set out at Appendix A the following items be approved by this Committee and be referred to Full Council for adoption by this Council
 - i. Basic allowance
 - ii. Special responsibility allowance and other payments
 - iii. Dependant Carers' allowance
 - iv. Travelling and subsistence allowance
 - v. Scheme requirements
 - vi. Independent Remuneration Panels
- (2) the revised scheme be referred to Full Council for adoption into this Council's Constitution.

G13. **URGENT BUSINESS**

There was no urgent business.

EXCLUSION OF THE PUBLIC

RESOLVED that the Public be excluded during the consideration of the following item of business in accordance with Part 1 of Schedule 12A of the Local Government Act 1972 (Access to Information: Exempt Information) under Paragraphs 1 and 2.

G14. FRAUD LOG 2016/17

The Head of Internal Audit submitted a report (copies of which had previously been circulated) to update Members on any suspected non-benefit frauds reported to Internal Audit during 2016/17 and included details of work undertaken during the year further to develop the Council's counter fraud controls.

RESOLVED that the report be noted.

The meeting which commenced at 6:30 p.m., closed at 7:40pm

Chairman