



This information is available free of charge in electronic, audio, Braille and large print versions on request.

For assistance in understanding or reading this document or specific information about these Minutes please call Democratic Services on 01629 761133 or e-mail committee@derbyshiredales.gov.uk

GOVERNANCE AND RESOURCES COMMITTEE

Minutes of a Meeting held on Thursday 14 June 2018 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT Councillor Jacquie Stevens - In the Chair

Councillors Deborah Botham, Albert Catt, Tom Donnelly, Steve Flitter, Chris Furness, Dermot Murphy, Mike Ratcliffe, Lewis Rose OBE and John Tibenham.

Paul Wilson (Chief Executive), Karen Henriksen (Head of Resources), Tim Braund (Head of Regulatory Services), Jenny Williams (Internal Audit Consortium Manager), Mike Galsworthy (Estates & Facilities Manager), Steve Capes (Head of Regeneration and Policy) and Jackie Cullen (Committee Assistant).

3 members of the public.

APOLOGIES

Apologies for absence were received from Councillors Jean Monks, Garry Purdy, Mark Salt, Colin Swindell and Joanne Wild. Councillor Dermot Murphy attended as Substitute Member.

33/18 – MINUTES

It was moved by Councillor Jacquie Stevens, seconded by Councillor Mike Ratcliffe and

RESOLVED That the minutes of the meeting of the Governance and Finance
(unanimously) Committee held on 18 January 2018 be approved as a correct record.

The Minutes were signed by the Chairman.

34/18 – PUBLIC PARTICIPATION

In accordance with the procedure for public participation Mr David Redfern made a statement on behalf of Cromford Community Centre in connection with Item 6 – Community Asset Transfer – Cromford Community Centre; and Mr John Burrows, local resident, made a statement about the play area in connection with Item 7 – Community Asset Transfer – Litton Play Area.

35/18 – COMMUNITY ASSET TRANSFER – CROMFORD COMMUNITY CENTRE

The Committee considered a request from Cromford Community Centre Association (CCCA) for the transfer of the freehold of Cromford Community Centre and adjoining land to enable their continued use as a community facility. The transfer of the freehold of the

public convenience buildings adjacent to this site had been authorised under separate approval but would form part of the same conveyance.

In order to continue their improvements on the Community Centre, CCCA would need to apply for grants for which they would need to demonstrate security of tenure of the building. It was proposed that the Community Centre and adjoining land (as shown edged red on the plan at Appendix 1 to the report) be transferred freehold to CCCA as a Community Asset Transfer (CAT) subject to the terms outlined in section 4 of the report, and that this transfer be combined with the transfer of the public conveniences to minimise legal costs which would be borne by each party.

The key heads of terms for the transfer were set out in the report. It was noted that the proposed terms for the transfer of Cromford Community Centre, adjoining land and the adjacent Public Conveniences building to CCCA constituted an undervalue transaction as permitted under the General Disposal Consent 2003, as detailed in the report.

It was reported that the Parish Council had not, at the time of writing, responded to the consultation. The recommendation for approval of the CAT was therefore subject to no adverse comments being received from Cromford Parish Council.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Lewis Rose OBE and

RESOLVED That subject to no adverse comments being received from Cromford
(Unanimously) Parish Council:

1. The terms outlined in paragraph 3 of the report for transferring the freehold of the Cromford Community Centre and adjoining land as shown edged red on the plan at Appendix 1 to the report to Cromford Community Centre Association (CCCA) are agreed;
2. That the previously authorised transfer of the freehold of the public convenience buildings adjacent to this site to CCCA will form part of the same conveyance and that their contribution in taking over operation of the public conveniences from the planned closure date (14th May 2018) to the completion date of this transfer is noted and acknowledged;
3. That it be noted that the disposal in (1) above (including the public conveniences) constitutes an undervalue transaction permitted under the General Disposal Consent 2003;
4. That each party would bear its own legal costs.

36/18 – COMMUNITY ASSET TRANSFER – LITTON PLAY AREA

The Committee considered an updating report on previously approved proposals for the freehold transfer of land at Litton to Litton Parish Council for recreational purposes.

Committee approval was obtained in December 2014 for the freehold transfer of the land in the ownership of the District Council to LPC for use as a Village Play Area and Sensory Garden. Issues arising since that time were set out in the report, and discussions had taken place with LPC at which revised terms had been proposed/agreed which addressed the

areas of concern. It was considered that a freehold transfer of the site would be appropriate on the terms outlined in paragraph 3.1 of the report, with the transfer of land at Litton comprising an undervalue transaction as permitted under the General Disposal Consent 2003.

As the site was a Recreation Ground notice of intention to dispose of the site had been advertised for 2 consecutive weeks, concluding on 17th April 2018. One response had been received and was included at Appendix 2 of the report, with mitigation measures to address the complainant's concerns set out in the report, notably to include the site in a Public Space Protection Order.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Albert Catt and

- RESOLVED**
1. That the response received to the Public Open Space advertising is noted and that the offer to purchase part of the site contained therein is declined;
 2. That the action taken in including the site in the Public Space Protection Order is noted;
 3. That the terms outlined in paragraph 3.1 of the report for transferring the freehold of the Recreation Ground at Church Lane, Litton, as shown on the plan at Appendix 1 to the report, to Litton Parish Council for use as a Village Play Area and Sensory Garden are agreed;
 4. That the Committee notes that the transfer described in paragraph 3 above comprises an undervalue transaction as permitted by the General Disposal Consent 2003.

Voting:

For	8
Against	0
Abstentions	2

The Chairman declared the motion carried.

37/18 – INTERNAL AUDIT ANNUAL REPORT 2017/18

The Committee considered a report that:

- Presented a summary of the internal work undertaken during 2017/18 from which the opinion on the internal control environment was derived;
- Provided an opinion on the overall adequacy and effectiveness of the Council's control environment including any qualifications to that opinion;
- Drew attention to any issues that required inclusion in the Annual Governance Statement;
- Compared work actually undertaken with that which was planned and summarised performance;
- Commented on compliance with the Public Sector Internal Audit Standards (PSIAS);
- Confirmed progress against the internal audit action plan that was developed following an external review of internal audit;

- Commented on the results of the internal quality assurance programme;
- Confirmed the organisational independence of internal audit;
- Reviewed the performance of the Internal Audit Section against the current Internal Audit Charter.

The report opinions were summarised in paragraph 2.1 of the report, and it was noted that there were no issues relating to fraud arising from the reports.

It was considered by the Internal Audit Consortium Manager that there were no issues arising from internal audit work in 2017/18 that needed to be reported in the annual governance statement.

It was reported that 94% of planned audits were completed during the year. Only 1 audit (system security) had not been completed by the end of March 2018 and that audit was currently in progress.

It was noted that a review and update of the Internal Audit Charter would be undertaken in the summer of 2018, and based on the information provided in the report on the completion of the 2017/18 internal audit plan, it was considered that the requirements of the Charter were met during the year.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Steve Flitter and

RESOLVED That the Internal Audit Annual Report for 2017/18 be approved.
(Unanimously)

38/18 – INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2017/18 OPERATIONAL AUDIT PLAN

The Committee considered the internal audit reports produced in respect of the 2017/2018 Internal Audit Plan and the progress made by management in implementing the agreed audit recommendations.

A summary of reports not previously considered by the Committee showed a summary of the level of assurance that could be given in respect of the audit area examined and the number of recommendations made / agreed where a full response had been received. The classifications used were tabled in paragraph 2.4 of the report.

It was noted that eight reports had been issued: 6 with a conclusion of “Substantial Assurance” and 2 with a conclusion of “Reasonable Assurance”.

Appendix 2 to the report showed that of the recommendations made as a consequence of audit reviews, 11 had been satisfactorily implemented, 1 recommendation was in the process of being implemented, 8 recommendations had not passed their implementation date and 12 recommendations remained outstanding (had a revised implementation date). Appendix 2 also provided a commentary next to each recommendation describing the progress made.

It was moved by Councillor Albert Catt, seconded by Councillor Steve Flitter and

RESOLVED That the report is approved.
(Unanimously)

39/18 – DEVELOPMENT MANAGEMENT – PRE-APPLICATION ADVICE

The Committee considered a progress report following the first year's operation of the formal pre-application advice scheme in Development Management, illustrating the success of the scheme whilst also highlighting areas for improvement and recommending the adoption of a revised schedule of charges for advice.

Following the meeting of this Committee on 19 January 2017, where a schedule of charges was adopted, the formal pre-application advice scheme started operating from 1 April 2017. It was reported that the scheme had operated successfully over its first 12 months and had delivered in excess of 375 separate pieces of advice, bringing in an income of more than £42,000 net of VAT.

It was noted that two informal complaints had been received during the first year, and overall it was considered that the pre-application advice system had bedded in very satisfactorily: however, officers had reviewed the fee schedule and had suggested a number of amendments that they believed added to the service offered. The proposed new fee schedule was attached as Appendix 1 to the report and the changes were summarised in paragraph 2.7 of the report. Notwithstanding new charging categories being proposed, it was recommended that existing fees were not increased at this time, for reasons set out in the report. It was instead proposed that further work be undertaken over the next 12 months to look at more harmonisation of pre-application fees throughout Derbyshire and that these fees be reassessed next year.

It was moved by Councillor Chris Furness, seconded by Councillor Tom Donnelly and

- RESOLVED**
(Unanimously)
1. That the report be noted.
 2. That the revised schedule of charges for pre-application advice (attached) be adopted with effect from 1 July 2018.

40/18 – SERVICE REVIEWS 2018/19

The Committee considered a report that set out the outcomes of the 2017/18 Service Reviews indicating progress and any savings identified, and recommended a review programme for 2018/19.

Alongside Savings, Transformation, Efficiencies and Performance (STEP) reviews, more traditional service reviews were still undertaken in appropriate cases, lasting anything from six months to a number of years. The Service Reviews conducted in 2017/18 were listed in the report, together with an update of progress to date and a note of savings achieved, as summarised in the table in paragraph 3.2 of the report.

The Service Reviews proposed during 2018/19 were listed in the report, with a view to making savings to assist with meeting Efficiency Plan targets.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Chris Furness and

- RESOLVED**
(Unanimously)
1. The 2018/19 Service Review programme is approved as follows

- **Overtime (including agency work)** – to revisit overtime payments and agency work to seek efficiency savings. Review to be completed by March 2019.
 - **Environmental services** – in support of preparing for a new waste and recycling contract, to consider processes and online systems that could enable charging for services and streamlining customer contact. Review to conclude by December 2018, with implementation to follow.
 - **Revenues and benefits** – a review of the arvato contract, to be completed by December 2018 in order to prepare for a new contract.
 - **Fees and charges** – a rolling programme of reviewing fees
2. The outcomes of the 2017/18 Service Reviews and savings are noted
 3. Progress with ongoing reviews is noted

41/18 – EQUALITY, CONSULTATION AND ENGAGEMENT PLAN 2018/19

The Committee considered a report on the annual Equality, Consultation and Engagement Plan that set out how it would meet its public sector equality duties, and what consultation and engagement activities were proposed each year, together with an update on progress against the actions set out in the Equality, Consultation and Engagement Plan 2017-18. This report also sought approval for the Equalities, Consultation and Engagement Plan for 2018 -19.

Updated equality information was published on the District Council's website ¹ as required by legislation on 31 January 2018. In 2012, the District Council consulted on three draft equality objectives, as set out in the report, and as agreed at Community & Environment Committee on 19 April 2012 (Minute No. 387/12). Progress towards the objectives listed in the report at February 2018 was summarised in Appendix 1 to the report.

The District Council's equality objectives were set out in the report, and it was noted that of the four identified targets two had been fully achieved, and two had not been fully achieved in the financial year, as detailed in the report.

The Equality Impact Assessments identified in the Equality, Consultation & Engagement Plan 2017/18 (see Appendix 2 to the report) that had been completed were listed in paragraph 2.2 of the report.

The key areas for consultation that the plan set out for 2018-19 were as follows:

- Business Rates Discretionary Relief options – as approved by Council on 31 May 2018
- Online panel survey – finding out how satisfied residents are with the District Council, its services and quality of life in the Derbyshire Dales. The survey

¹ <http://www.derbyshiredales.gov.uk/your-council/equalities/equality-information>

provided important feedback on the performance of services and suggested areas for improvement, which supported service planning and management.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Chris Furness and

RESOLVED
(Unanimously)

1. That progress against the actions in the Equality, Consultation and Engagement Plan 2017-18 (Appendix 1 to the report) be noted.
2. That the Equality, Consultation and Engagement Plan 2018-19 as set out in Appendix 2 to the report be approved.

42/18 – ICT STRATEGY 2018-2021

The Committee considered a report on the Information and Communication Technology (ICT) Strategy - a plan for the ICT software and hardware changes that the District Council would make over the coming years in order to support its corporate and service plans.

The District Council is part of a shared service partnership between three district councils: Bolsover, Derbyshire Dales and North East Derbyshire. The three key aims were listed in the report.

The current Derbyshire Dales District Council ICT Strategy, for 2015-2018, was approved by the Governance and Resources Committee on 16 July 2015 and was about to expire. The proposed Derbyshire Dales ICT Strategy for 2018 – 2021 was attached as Appendix 1 to the report, with the Service Improvement Action Plan constituting Appendix A therein, and the Investment Plan constituting Appendix B.

It was moved by Councillor Albert Catt, seconded by Councillor Mike Ratcliffe and

RESOLVED
(Unanimously)

That the Derbyshire Dales District Council ICT Strategy 2018-2021 is adopted.

43/18 – GENERAL DATA PROTECTION REGULATION (GDPR): PROGRESS REPORT

The Committee considered a report on progress against the General Data Protection Regulation (GDPR) Action Plan. An updated Action Plan was attached as Appendix 1 to the report.

At the time of writing the report the key actions that remained outstanding were:

- Ongoing cleansing of old records;
- Amendments to some contracts e.g. preparation of data sharing agreements;
- Some forms had yet to be updated to reflect new privacy notices.

On 14 May 2018 some Members attended a Members' Briefing on GDPR, as set out in the report. The briefing was relevant to all Councillors, and those who attended the workshop gave positive feedback and said that they would recommend the workshop to others. However, only 11 of the 39 Council members attended. It was essential that all Members were aware of the new legal requirements and that they had an understanding of the risks and the implications for the Council. It was therefore recommended that a further GDPR Briefing be provided for Members who were unable to attend the session that was held in May 2018, and that Members be urged to attend.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Albert Catt and

RESOLVED
(Unanimously)

1. That progress against the General Data Protection Regulation (GDPR) Action Plan is noted.
2. That a further GDPR Briefing be provided for Members who were unable to attend the session that was held in May 2018.

44/18 – INFORMATION GOVERNANCE FRAMEWORK 2018-2021

The Committee considered a report that sought approval for an Information Governance Framework, which set out the requirements, standards and best practice that applied to the handling of information.

The current Derbyshire Dales District Council Information Governance Framework and Strategy for 2015-2018 was approved by the Governance and Resources Committee on 16 July 2015 and was about to expire. All the actions set out in that strategy had now been completed.

A draft framework for 2018 - 2021 was attached as Appendix 1 to the report, and had been updated to reflect changes in personnel, systems and procedures, but mainly to reflect legislative changes required by the Data Protection Act 2018 and the General Data Protection Regulation. Key principles of the Framework were listed in the report.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Steve Flitter and

RESOLVED
(Unanimously)

That the Information Governance Framework 2018-2021 is adopted.

45/18 – JOINT CONSULTATIVE GROUP: MINUTES OF MEETING 8 FEBRUARY 2018

It was moved by Councillor Albert Catt, seconded by Councillor Steve Flitter and

RESOLVED
(Unanimously)

That the Minutes of the Joint Consultative Group meeting held on 8 February 2018 be received.

MEETING CLOSED – 7.55PM

CHAIRMAN