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GOVERNANCE AND RESOURCES COMMITTEE

Minutes of a Meeting held on Thursday 5 September 2019 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT

Councillor Sue Bull - In the Chair

Councillors Jacqueline Allison, David Chapman, Paul Cruise, Steve Flitter, Alyson Hill, Susan Hobson, David Hughes, Stuart Lees, Michele Morley, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Peter Slack and Mark Wakeman,

Paul Wilson (Corporate Director), Sandra Lamb (Head of Corporate Services), Karen Henriksen (Head of Resources), Tim Braund (Head of Regulatory Services), Jenny Williams (Internal Audit Consortium Manager), Rob Cogings (Head of Housing), Caroline Leatherday (Business Support Manager), Keith Postlethwaite (Parks and Streetscene Manager), Jim Fearn (Communications and Marketing Manager) and Jackie Cullen (Committee Assistant).

Mr John Pressley & Ms Amber Davidson - Mazars LLP

APOLOGIES

Apologies for absence were received from Councillors Tom Donnelly, Claire Raw and Colin Swindell. Councillors Stuart Lees and Joyce Pawley attended as Substitute Members.

117/19 – MINUTES

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Mark Wakeman and

RESOLVED

(unanimously)

That the minutes of the meeting of the Governance and Finance Committee held on 11 July 2019 be approved as a correct record.

The Minutes were signed by the Chairman.

118/19 – CONSENT TO SITE EV CHARGE POINTS ON DISTRICT COUNCIL LAND

The Committee considered a report on the possibility of installing third party electric vehicle (EV) charging points on District Council owned car parks and to obtain delegated authority for the Head of Community and Environmental Services to agree to such installations.

On 29th May 2019 Derbyshire Dales District Council declared a Climate Change emergency, pledging to be carbon neutral by 2030 and to work with partners across the county and the region to deliver this goal.

Prior to that, Derbyshire County Council had accessed funding from a £2m project aimed at installing 230 EV charge points throughout the D2N2 region, as set out in the report. In addition, a further funding stream through the Office for Low Emission Vehicles (OLEV) was available to the County Council in its capacity as the Highway Authority for the installation of on-street residential charging points. The County Council had in both instances sought to collaborate with District and Borough Councils in identifying potential off-street locations in key catchment areas and had engaged the services of BP Chargemaster through a Concession Delivery Agreement, who would install, run and maintain the resultant infrastructure for a fixed period of 10 years. All operational expenses would be met by Chargemaster, who would retain income from resultant electricity charges.

3 possible locations in the District's principle market towns were put forward, as follows:

- Bakewell Agricultural Business Centre (8x fast charge units),
- Matlock Edgefold Road, (8x fast charge units),
- Wirksworth Market Place, (1x rapid charge unit)

Of the sites listed above, Chargemaster had confirmed that the single rapid charge unit at Wirksworth could be accommodated from within existing grant funding, whilst the development of the remaining two sites would be subject to any future additional D2N2 funding becoming available.

In response to DCC's request for possible off-street locations, the District Council had again expressed support for their OLEV funding bid and provided a list of potential DDDC public car parks for desktop assessment by Chargemaster. Their resultant funding bid would be submitted in early September. There were currently no EV charging points on the District Council's car parks.

Delegated authority would allow negotiations and formal agreement to be undertaken at officer level, subject to consultation and agreement by local Ward Members. Participation in either of the County Council led initiatives did not in any way preclude the District Council from developing its own EV charging infrastructure and would not bind this authority to BP Chargemaster in that respect.

It was proposed that a future report be presented to members to advise on the final outcome of Derbyshire County Council's projects and their resultant impact in relation to the Derbyshire Dales and surrounding area.

Councillor Mike Ratcliffe requested it be noted that whilst he supported the Recommendation and welcomed a move towards cutting carbon emissions, he would encourage the District Council to investigate (via the Commercial Board) the potential to provide its own EV charging units.

It was moved by Councillor David Chapman, seconded by Councillor Steve Flitter and

RESOLVED
(unanimously)

1. That delegated authority be given to the Head of Community and Environmental Services to negotiate and enter into formal agreement for the provision of third party EV charging points on District Council owned car parks;
2. That a further report be presented to the relevant committee on the outcome of recent collaborations with Derbyshire County Council in their bid to secure funding for accessible EV charging points within the County of Derbyshire.

119/19 – SECTION 106 ANNUAL REPORT 2018/19

The Committee considered an updating report on financial contributions and obligations made in respect of (and requested by) the Council via Section 106 planning obligations at the end of the financial year from 1st April 2018 to 31st March 2019, as laid out in the report.

Section 106 Agreements normally, although not always, contained a ‘clawback date’ where financial contributions were made, which established the end date by which time the recipient must spend the contribution, failing which the Council was under obligation to refund the developer. The clawback date was usually set for 5 or 10 years after the payment had been received, although they could sometimes be longer.

It was reported that since 1st April 2010 the Council had entered into 129 s.106 agreements, with financial obligations totalling £23,220,946.72. However, for reasons set out in the report it should not be assumed that all of this money had either been received by the Council or was available at the present time as the payments would become due over a number of years. The situation regarding these agreements at time of writing the report (23 August 2019), was set out in the report.

All priority sites had been regularly monitored since the 9th December 2017 and as a result, obligations totalling £1,947,912.53 (inclusive of indexation/interest) were found to have been triggered in the financial year from 1st April 2018 to 31st March 2019.

A summary of the s106 statistics was set out in Section 6 of the report, with full details of transactions for this period attached as Appendix 1 to the report, as amended above, to be approved for publication.

The Business Support Manager advised that there were some discrepancies with the figures within the report. The correct figures were:

- The opening balance of the Section 106 monies held by the Council at 1st April 2018 was £2,085,691.76 (para 6.1 of the report);
- The closing balance at 31st March 2019 £3,533,442.95 (para 3.2, appendix 1 to the report);
- Sums committed to future projects £431,533.30 (para 6, appendix 1 to the report);
- Unallocated, non-committed sums in reserve £3,101,909.15 (para 6.2, appendix 1 to the report)

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Flitter and

- RESOLVED**
(unanimously)
1. That the report, as amended, in Appendix 1 to the report is noted;
 2. That the report, as amended, in Appendix 1 to the report is approved for publication.

120/19 – ESTATE REGENERATION MANAGER CONTRACT EXTENSION

The Committee was asked to consider approving a two-year extension of the contract of the Estate Regeneration Manager, created in September 2017. A proportion of the existing government grant remained within the Council's budget, and there would be no direct cost to the Council with the extension of this post

The achievements to date of the estate regeneration project were set out in the report, together with its objectives for the next two years. It was reported that the post would continue to work with ward members, stakeholders and other organisations across the estate, and it provided capacity within the Housing Team to work on the broader strategy and the funding bids that flowed from it. Grants secured in the last 12 months were listed in the report.

It was moved by Councillor Steve Flitter, seconded by Councillor Mike Ratcliffe and

- RESOLVED**
(unanimously)
- That the proposal to extend the Estate Regeneration Manager's contract for a further two years is approved.

121/19 – STRATEGIC HOUSING INVESTMENT CO-ORDINATOR CONTRACT EXTENSION

The Committee was asked to consider approving a two-year extension of the Strategic Housing Investment Coordinator post, established in September 2017 as a two year project which provided specialist housing development advice to the Derbyshire authorities, The Council held a budget for the delivery of the post for the next two years based on the original grant, thus there would be no additional cost to the Council in extending the contract for a further two years.

The key aims of the original project were set out in the report, and going forward these would remain the same, i.e. providing expert additional capacity on housing development and supporting councils to bring forward investment plans, both for their own housing and in partnership with housing associations and private developers. Developments particular to the Derbyshire Dales were listed in paragraph 2.2 of the report, together with those planned over the course of the next two years.

It was moved by Councillor Peter Slack, seconded by Councillor Joyce Pawley and

- RESOLVED**
(unanimously)
- That the proposal to extend the Strategic Housing Investment Co-ordinator by a further two years is approved.

122/19 – COMMUNICATIONS AND MARKETING STRATEGY

The Committee considered a report on the Communication and Marketing Strategy that set out how residents, employees and service users were kept informed about what the District Council was doing, how it was spending public money, and the District Council services they could access.

The aims of the Communications and Marketing Strategy were listed in the report, and the Strategy (attached as Appendix 1 to the report) was without a timeframe to allow a more dynamic approach to actions which could be measured by way of an Annual Action Plan, monitored by a Communications & Marketing Hub, comprising officers from all Council service areas.

A review of the 2018/19 action plan was set out in Section 2 of the report, and the aims of the new action plan for 2019/20 in Section 3 of the report.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Susan Hobson and

- RESOLVED** (unanimously)
1. That the strategic framework of the current Communications and Marketing Strategy is noted;
 2. That the Action Plan for 2019/2020 is approved.

123/19 – THE ROLE OF THE HEAD OF INTERNAL AUDIT

The Committee considered a report on an updated publication by The Chartered Institute of Public Finance and Accountancy (CIPFA), which was CIPFA's Statement on the Role of the Head of Internal Audit in Public Service Organisations (2019 edition). An extract from the Statement "Introducing the CIPFA Statement" was attached as Appendix 1 to the report.

The statement set out the five principles that defined the core activities and behaviours that belonged to the role of the head of audit in public service organisations and the organisational arrangements needed to support them. These core principles were detailed in Section 3 of the report along with a summary of the DDDC situation.

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Flitter and

- RESOLVED** (unanimously)
- That the organisational arrangements for internal audit be endorsed as aligning to the key principles that are set out in CIPFA's Statement on the Role of the Head of Internal Audit.

124/19 – INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2019/20 OPERATIONAL AUDIT PLAN

The Committee was asked to consider for approval the internal audit reports produced in respect of the 2019/20 Internal Audit Plan.

Appendix 1 to the report provided a summary of reports issued since this committee last considered a report for audits included in the 2019/20 Internal Audit Plans, and showed for each report 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 assurance provided column in Appendix 1 to the report gave an overall assessment of the assurance that could be given in terms of the controls in place and the system's ability to meet its objectives and manage risk in accordance with the classifications tabled in paragraph 2.4 of the report.

Four reports had been issued: 3 with a conclusion of "Substantial Assurance" and 1 with "Reasonable Assurance". 6 recommendations had been made and accepted by management and these were in the process of being implemented. There were no issues

arising in respect of fraud.

It was moved by Councillor Mark Wakeman, seconded by Councillor Michele Morley and

RESOLVED That the report be approved.
(unanimously)

125/19 – EXTERNAL AUDITOR’S ANNUAL AUDIT LETTER FOR 2018/19

The committee considered a report presented by Mr John Pressley of Mazars LLP, being the External Auditor’s Annual Audit Letter, summarising the outcome of the audit work completed at the Council in relation to the 2018/19 audit year in accordance with the Accounts and Audit Regulations 2015. A copy of the letter was attached as Appendix 1 to the report and was consistent with the Audit Completion Report that had been presented to Council on 25 July 2019, with the letter being a summarised version of the Audit Completion Report. The key issues in the letter were listed in paragraph 1.3 of the report.

The two recommendations relating to internal controls had been accepted by the Head of Resources, and would be addressed during the preparation of the Statement of Accounts for 2019/20.

With regard to the “forward look” and the financial uncertainty in the medium term, the recent MHCLG announcement of a one-year spending review suggested that the outcome of the fair funding review and the business rates retention review would not be known for some time, with implementation likely to be delayed until 2021/22. In the meantime, the Council would continue to look at building reserves as a temporary or transitional cushion to minimise the immediate impact while the medium term savings (or additional income) were identified and delivered.

It was moved by Councillor Steve Flitter, seconded by Councillor Mark Wakeman and

RESOLVED That the External Auditor’s “Annual Audit Letter for 2018/19 is
(unanimously) received.

126/19 – NEW ELECTRONIC RECRUITMENT PARTNERSHIP

The Committee considered a report that sought approval for a new budget to fund membership of the new Derbyshire recruitment partnership, with access to the updated electronic recruitment portal hosted by Derbyshire County Council. The delay in confirming the service options and cost structure and the timing of the clarification meant that it had not been possible to allocate a sum when setting budgets for 2019/20.

The Corporate Leadership Team had considered 2 reports on this matter since May and resolved that the District Council should join the new recruitment partnership at the lowest but one service option and cost, with a proposal that Human Resources should have ‘write’ access to the system, the costs for which were tabled in paragraph 2.4 of the report.

Assuming a ‘go live’ date of 1 October 2019, establishment of a budget for set-up fees and running costs from October to March of £12,588 was required as a supplementary budget for 2019/20, where after an ongoing budget of around £3,500 per annum would be required. Comparative costs for other options were set out in section 2 of the report.

It was moved by Councillor Garry Purdy, seconded by Councillor Mark Wakeman and

RESOLVED That Council is requested to approve a supplementary revenue budget of £12,588 for 2019/20, to be financed from the ICT Reserve, and £3,500 per annum ongoing revenue spending from 2020/21 in respect of the new electronic partnership.

Voting:

For	14
Against	1
Abstentions	0

The Chairman declared the motion CARRIED.

127/19 – CUSTOMER INNOVATION PROJECT – UPDATE

The Committee considered a report on the implementation of the Customer Relationship Management system and associated technology.

The aims and objectives of the Customer Innovation Hub were set out in the report, together with the current composition of the Hub. However, going forward the Hub would be led by the Digital Transformation Project Manager who would review its aims, objectives and membership to reflect the work completed to date and to ensure it continued to complement the Digital Transformation objectives.

An update on the work of the Customer Innovation Hub was presented to Committee on 28th February 2019 and a further update was given in the report, advising Members that the contract for the provision of a CRM system had been signed with the preferred supplier; Meritec Ltd, at the end of March 2019 for an initial period of two years; recruitment had taken place for the Role of Digital Transformation Project Manager Glenn Burton, who would be leading both the CRM project and the wider Digital Transformation programme; the Digital Transformation Project Officer role had been advertised and was expected to be filled in the coming weeks.

A project plan had been developed and agreed with Meritec with a view to enabling the CRM to launch on 1st March 2020. The next phase of the project was focused on the configuration of the CRM system to the council and its objectives, as set out in the report.

A brief overview of the project's milestones, key tasks and status to date was tabled in paragraph 2.5 of the report.

In support of the project a full communication strategy for both internal and external communications was being drafted and would launch in the October 'Dales Matters' newsletter.

It was moved by Councillor Mike Ratcliffe, seconded by Councillor Michele Morley and

RESOLVED (unanimously) That progress with the CRM project is noted and that a further update report be presented to Committee in 6 months' time.

128/19 – COMPLAINTS MONITORING

The Committee considered a report on formal complaints made under the District Council's internal Complaints Procedures; those referred to the Local Government Ombudsman, and against individual elected member behaviour at town, parish and District Council level.

Section 1 of the report provided details of complaints against the Council that were dealt with through the Council's Complaints Procedure as formal complaints, showing 66 official complaints during 2018/19, compared to 61 in the previous year, as tabled in the report. Of these, 5 complaints were referred to the Chief Executive during the year, compared to 11 in the previous year.

The Complaints procedure was outlined in the report, and as it had not been reviewed for some time a review was anticipated with the aim of linking it to the new Customer Experience system so that data could be properly stored and performance measured. A report on a revised scheme would be presented to the next meeting of the Committee with proposed performance indicators.

The LGO's annual review letter was attached at Appendix 2 to the report. 12 decisions were issued in the period, as tabled in paragraph 2.2 of the report. 3 complaints were upheld and had been reported to the relevant Committee for consideration and approval of remedial action if required, and were summarised in the report.

The Confidential Reporting Policy, or Whistleblowing Policy, required the Monitoring Officer to report to the Committee periodically on matters referred to her under the terms of the Policy. No matters were referred under the policy in 2018/19. The Whistleblowing Policy was continually promoted on the District Council's staff intranet and on notice boards.

With regard to complaints about elected Member behaviour, the Monitoring Officer was required to assess such complaints against agreed criteria and the relevant authority's Code of Conduct, in consultation with the Independent Person, as outlined in the report.

The complaints received in 2018/19 were tabled in paragraph 4.3 of the report.

It was moved by Councillor Susan Hobson, seconded by Councillor Mike Ratcliffe and

RESOLVED
(unanimously)

1. That the report is noted;
2. That a revised complaints procedure is submitted for consideration at the November 2019 meeting.

129/10 – AMENDMENT TO SCHEME OF OFFICER DELEGATION

The Committee considered a report that sought approval for an amendment to the scheme of officer delegation to ensure that the Council was adequately represented at a Valuation Tribunal hearing.

The Council had recently been informed that a council tax appeal had been registered with the Valuation Tribunal Service and it intended to defend the appeal. If officers were to represent the Council at a hearing of the Valuation Tribunal, there must be delegated authority for them to do so.

The current scheme of delegation for this area was set out in the report, but as it referred to Valuation Office Agency hearings, rather than Valuation Tribunal Service hearings, it was recommended that the scheme of delegation should be updated accordingly, as shown in the report. It was noted that as well as the proposed officers representing the Council, the Council would have the right to send witnesses to the hearing.

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Flitter and

RESOLVED That the scheme of officer delegation in respect of Valuation Tribunal
(unanimously) hearings is amended as set out in the report. This needs to be in the
Minute.

130/19 – REVENUE BUDGET MONITORING QUARTER 1 2019/20

The Committee considered a report that summarised the Council's forecast outturn position as at the end of June 2019.

On 7th March 2019 Council set a total revenue budget of £9,585,690. The full year forecast to March 2020 based on initial monitoring and identification of major variances projected an overspend of £46,000, as tabled in paragraph 1.1 of the report. The major variances were described in the report and other smaller variances were currently offsetting each other. All budgets would be revisited in detail and revised at the end of quarter 2.

It was moved by Councillor David Chapman, seconded by Councillor Peter Slack and

RESOLVED That the identified variances and current overall forecast position are
(unanimously) noted.

131/19 – ARREARS FOR WRITE OFF

The Committee considered a report providing information about debtor write offs authorised by the Head of Resources under delegated authority and that sought approval for the write off of individual debts exceeding £1,500 in accordance with the Council's Financial Regulations.

It was reported that the debts detailed in the report had been pursued through all appropriate methods of recovery open to the Council, as set out in the [Revenues Debt Recovery Policy](#), and that any debt would be reinstated where further information subsequently came to light that allowed further recovery action to be pursued. It was considered that any further action attempted at recovering the debts proposed for write off would be likely to incur additional expenses to the Council without the prospect of payment. CIPFA recommended that it was good practice to identify debts that were unlikely to be paid and to account for them in the accounts as soon as possible.

The amounts recommended for write-off were detailed in Appendix 1 to the report, and summarised in Table 1 in the report.

It was moved by Councillor Garry Purdy, seconded by Councillor Steve Flitter and

RESOLVED That the individual amounts exceeding £1,500 listed in Appendix 1 to
(unanimously) the report totalling £83,205.58 be written off.

132/19 – EXCLUSION OF PUBLIC AND PRESS

It was moved by Councillor Garry Purdy, seconded by Councillor Susan Hobson and

RESOLVED That members of the public be excluded from the meeting for the
(unanimously) remaining item of business to avoid disclosure of exempt information, as follows:

This item contains information which relates to the business affairs of the Council. It is not considered to be in the public interest to release that information to the public.

The decision needs to be included here. It can be represented as an open item provided it is summarised and does not reveal names.

133/19 – REVIEW OF ICT STRUCTURE

The Committee was asked to consider approval for a restructure of the Joint ICT Service and the additional revenue spending.

Since 2010 the ICT Service for Derbyshire Dales District Council (DDDC) had been provided by North East Derbyshire District Council (NEDDC) under a partnering arrangement where services were delivered to DDDC, NEDDC and Bolsover DC (BDC).

A review of the joint ICT service structure was undertaken, for reasons set out in the report, as set out in Appendix 1 to the report. A revised structure was recommended that would incur additional costs, as set out in detail in Appendix 1 to the report and summarised in table 1 in the report. The costs that would be met by each partner were set out in table 2 in the report.

The Joint ICT Committee approved the report on 6th August. As there were financial implications for each of the three partner authorities, approval must now be obtained from each partner authority, hence the report. After consultation with the Strategic Alliance Head of Service, Partnerships and Transformation, ICT Management team, client manager and Corporate Leadership Team at Derbyshire Dales, HR and Finance at NEDDC and the Joint ICT Committee, and subject to approval by the three partner authorities, formal consultation would be undertaken with employees (of NEDDC) as per their joint organisational review policy.

The Committee extended a vote of thanks to the IT manager concerned for his efforts in consolidating the present IT structure.

It was moved by Councillor Garry Purdy, seconded by Councillor Mike Ratcliffe and

RESOLVED
(unanimously)

1. That, subject to the restructure being agreed by Bolsover and North East Derbyshire District Councils, the restructure of the Joint ICT Service is approved.
2. That, subject to 1 above, Council be requested to approve additional one-off revenue spending of £12,780 for ICT Service restructuring costs in 2019/20 and £4,044 per annum ongoing revenue spending in respect of the additional capacity in the proposed ICT structure.

MEETING CLOSED – 8.24PM

CHAIRMAN