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GOVERNANCE AND RESOURCES COMMITTEE

Minutes of a Meeting held on Thursday 19 July 2018 in the Council Chamber, Town Hall, Matlock at 6.00pm

PRESENT

Councillor Jacquie Stevens - In the Chair

Councillors Jason Atkin, Deborah Botham, Albert Catt, Tom Donnelly, Steve Flitter, Chris Furness, Alyson Hill, Dermot Murphy, Mike Ratcliffe, Lewis Rose OBE, Mark Salt, Colin Swindell and John Tibenham.

Paul Wilson (Chief Executive), Sandra Lamb (Head of Corporate Services), Karen Henriksen (Head of Resources), Tim Braund (Head of Regulatory Services), Jenny Williams (Internal Audit Consortium Manager), Mike Galsworthy (Estates & Facilities Manager), Karen Poyser (Community Safety Officer) and Jackie Cullen (Committee Assistant).

2 members of the public.
1 member of the Press.

APOLOGIES

Apologies for absence were received from Councillors Jean Monks, Garry Purdy and Joanne Wild. Councillors Jason Atkin and Dermot Murphy attended as Substitute Members.

85/18 – MINUTES

It was moved by Councillor Jacquie Stevens, seconded by Councillor Chris Furness and

RESOLVED (unanimously)

That the minutes of the meeting of the Governance and Resources Committee held on 14 June 2018 be approved as a correct record.

The Minutes were signed by the Chairman.

86/18 – INTERNAL AUDIT REPORTS CONCLUDED UNDER THE 2018/2019 OPERATIONAL AUDIT PLAN

The Committee considered the internal audit reports produced in respect of the 2018/2019 Internal Audit Plan.

The 2018/2019 Internal Audit Operational Audit Plan was approved by the Chair and Vice Chair of the Governance and Resources Committee on 14th March 2018 as an urgent decision following the cancellation of the committee meeting scheduled for 1st March 2018 due to snow. The report detailed the results of the internal audit reviews undertaken during the year, a summary of which was attached as Appendix 1 to the report. This 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, according to the classifications tabled in the report.

The report also included the last report from the 2017/2018 plan (Information Security), which was completed in 2018/2019.

It was noted that five reports had been issued: 4 with a conclusion of “Substantial Assurance” and 1 with a conclusion of “Reasonable Assurance”. Four medium and 2 low priority recommendations had been made and accepted. It was reported that there were no issues relating to fraud arising from the reports.

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

RESOLVED That the findings and conclusions of the internal audit reviews that
(Unanimously) have taken place during this period are noted.

86/18 – INTERNAL AUDIT CHARTER

The Committee considered a report on the results of a review of the Internal Audit Charter that sought approval for the updated Charter, as required by The Public Sector Internal Audit Standards (PSIAS), and attached as Appendix 1 to the report.

The PSIAS were updated in April 2017 with some minor wording changes, but no changes recommended in respect of the content of Internal Audit Charters. The current Internal Audit Charter had been reviewed and was considered still fit for purpose and that no updates were required. It would be reviewed again in 2 years’ time, or sooner if any significant changes were made to PSIAS.

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

RESOLVED 1. That the outcome of the review of the Internal Audit Charter is
(unanimously) noted.
2. That the updated Internal Audit Charter be agreed.
3. That the Internal Audit Charter be reviewed in 2 years’ time or sooner in the event of any significant changes being made to the Public Sector Internal Audit Standards.

87/18 - EMPTY HOME PREMIUM

The Committee considered a report that set out a proposal to consult on the impending introduction of new powers for local authorities to increase the Council Tax on long term empty homes, defined as being empty for more than 2 years.

In 2013 the Government gave councils the power to charge a 50% premium on long term empty homes, and new legislation was anticipated during 2018/2019 that would give councils the power to charge a 100% premium, with effect from April 2019.

The Council had the option to use some or all of its share of the additional revenue that could be derived from a 100% increase in Council Tax on long term empty homes to support initiatives to assist owners of long term empty homes to bring them back in to use. The District Council's Empty Homes Hub was currently working through the available incentives and enforcement options, some of which would need new resources to finance them.

Subject to approval by Members and the consultation process, the premium would be introduced from April 2019. It was reported that there would be some exemptions, depending on the reason(s) for the home remaining empty.

It was considered good practice to consult on an increase in Council Tax on long term empty homes. Attached at Appendix 1 to the report was a draft questionnaire, developed following a review of similar consultation events undertaken by other councils when the 2013 50% premium was introduced by government. This would be available on the Council's website using the survey monkey format. Some direct mailing would also take place to ensure that a broad range of views, including those of owners and neighbours of empty homes, were taken into account. A report would be brought back to the Committee with the consultation results.

It was reported that Government had just announced that in addition to the proposal to charge a 100% premium on properties empty for more than 2 years, it was now proposed that a premium of 200% could be charged where a property had been empty for between 5 and 10 years, and a 300% premium where it had been empty for more than 10 years. It was proposed that these changes should be included within the proposed consultation.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Colin Swindell and

RESOLVED
(unanimously)

1. That the proposed consultation outlined and including the recent announcement of increased premiums in the report is approved
2. That a future report on the outcome of the consultation is presented to the Committee in due course.

88/18 - CCTV STAFFING PROVISION 2018-2020

The Committee considered an update on the actions of the CCTV Manager over the last 6 months and a request for approval for the additional hours of the CCTV Manager to continue for an additional 2 years until 30th September 2020.

Members were reminded that over the last year significant investment and changes to the CCTV system had been made, as well as the introduction of General Data Protection Regulation (GDPR). To assist the CCTV Manager with the implementation of the changes, it was agreed that from October 2017 the hours of the CCTV Manager would be increased by 2 days per week, to make a total of 3 days per week, for a 12 month period ending on 30th September 2018. It was now requested that those increased hours remain in place until 30th September 2020, at a cost of £9,450 per year.

A breakdown of footage requests was listed in the report, together with 21 disclosures that had been made to date.

It was reported that there was potential for the maintenance of CCTV in other areas of the Council (Depot, ABC and Matlock Town Hall) to be supported by the CCTV Manager which should result in either a reduction in money spent, or the opportunity to improve the current systems.

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

RESOLVED
(Unanimously)

1. That the work and actions of the CCTV Manager be noted with the increased benefit of the additional hours since October 2017.
2. That Council be recommended to approve expenditure of £9,450 p.a. from the General Reserve to enable the additional hours of the CCTV Manager to be extended beyond 30th September 2018 for a further 2 years.

89/18 – INDUCTION PLAN FOR NEW COUNCIL OF 2019

The Committee considered a progress report setting out the Member Development Working Group's interim recommendations for the format of an Induction Plan for the new council of 2019, to assist Councillors in understanding the structure and procedures of the Council incorporating those initiatives listed in the report.

The report summarised the Group's progress so far. Approval was required in order to develop the programme fully and to allow officers to commit to procuring external expertise where required. The content of the recommended programme had several themes, as detailed in the report and summarised below, and definite dates would be committed as soon as practicable following approval of the outline Programme:

- Pre-Election
- Welcome Pack
- Induction Day – Provisionally 9 May 2019
- Tour of the District – Provisionally 10 May 2019
- Mandatory Training During May – September 2019
- Participation in Meetings
- Other training
- Feedback
- Communication Platform

The final stages in the review of the Induction programme would involve:

- Final recommendations for inclusion in the Survival Guide
- Outline induction for by-election candidates
- Review of training modules available on line to offer on a choice basis for Councillors
- Any other matters the Committee may wish to direct.

The Member Representative invited suggestions from Members, based on their reflections of the previous election induction programme and experience to date.

It was moved by Councillor Alyson Hill, seconded by Councillor Chris Furness and

RESOLVED
(unanimously)

1. That the outline Induction Programme and supporting initiatives set out in paragraph 2 of the report is approved for development and procurement of any external expertise required, with the following amendment:

That the Tour of the District be made an annual event; dates to be confirmed in due course;

2. That the Members Portal remains as the principal conduit for Committee and Council papers, but that the Council's intranet, SIDD, be introduced alongside this with immediate effect for a trial period; and that a decision on the future of the Members Portal as outlined in paragraph 2.10 of the report is deferred until the new 2019 Council is established;
3. That Members contact the Member Representative with any further initiatives for the Induction programme.

90/18 – WRITE OFFS

Councillor Jason Atkin left the meeting at 7.04pm during discussion of this item.

The Committee considered a report that sought approval for:

- the write off Housing Benefit Overpayment Arrears totalling £2,467.50;
- changes to the frequency that the committee considers write offs, and
- changes to the scheme of officer delegation in respect of write offs.

Authorisation to write off amounts exceeding £1,500 was required from this Committee under regulation B7(b) of the Council's Financial Regulations.

The Council had received a request from Derbyshire Districts Citizens Advice (CAB), who had been helping a client through their Money Advice Service, as detailed in the report. They asked if the Council would be able to write off the client's outstanding balances of £144.60 and £2,322.90 on two Housing Benefit Overpayment invoices, which was above the limit for it to be considered under delegated authority.

In considering this application it had become apparent that it would be beneficial to consider requests for write off more frequently than once a year, especially where there were personal debts where customers might have health issues. Furthermore, CIPFA guidelines recommended that bad debts should be identified and written off from the accounts as soon as possible. It was therefore recommended that reports seeking write off of debts of £1500 or more be considered by this committee twice a year.

The usual categories for write offs were set out in paragraph 1.3 of the report. The request from the CAB related to an officer error and did not fall within the usual categories. It was therefore recommended that delegated authority be given to the Head of Resources to write off any debts that resulted from officer error, and the value of any such write offs would be shown in the next committee report on arrears for write off.

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

RESOLVED
(unanimously)

1. That approval is given to write off the debts of £144.60 and £2,322.90 as described in the report;
2. That requests for approval of write offs be considered by this Committee twice a year;
3. That delegated authority is given to the Head of Resources to write off debts caused by officer error.

91/18 – FORMER PUBLIC CONVENIENCES & LAND TRANSFER – MONSAL HEAD

Councillor Steve Flitter left the meeting at 7.22pm during discussion of this item.

The Committee considered a report on discussions that had taken place with the neighbouring landowner (Penelope Thornton Hotels) following the recent closure of the Monsal Head Public Conveniences. The report recommended terms for the freehold transfer of the former public conveniences building together with some adjacent leased land to enable future provision of public convenience facilities at this site at no cost to the District Council.

On 30th April 2018 it was resolved that the Monsal Head public conveniences be closed on 14th May 2018 and that the Estates and Facilities Manager be given delegated authority to negotiate, agree and implement a transfer of the facility to the interested party (Penelope Thornton Hotels) for a use which retained a public toilet facility on the most economically advantageous terms in line with The General Disposal Consent 2003 within 6 months of the date of this decision and should this not be achieved, the asset be placed on the open market for freehold sale by public auction.

The site requested by Penelope Thornton Hotels (PTH) was shown outlined in red on the plan at Appendix 1 to the report.

Discussions had taken place with Penelope Thornton Hotels (PTH) and terms had been proposed which would ensure the continued opening of the public conveniences, at no cost to the District Council. There would be some loss of rental income by selling the (currently leased) parking spaces but this was more than offset by the savings in running costs of the public conveniences and the capital expenditure required to repair the bitumen areas not covered under the car park lease to PTH.

The proposed terms for the freehold of the public conveniences and land shown edged red on the plan at Appendix 1 to the report were set out in the report, and it was noted that these comprised an undervalue transaction as permitted under the General Disposal Consent 2003.

The relevant Ward Member and Local Council had been consulted on the proposed transfer, and it was reported at the meeting that Little Longstone Parish Council supported the transfer on condition that the public conveniences were to be used for this purpose only. No other expressions of interest had been received.

It was moved by Councillor Lewis Rose OBE, seconded by Councillor Colin Swindell and

RESOLVED
(unanimously)

1. That the terms outlined in paragraph 3.1 of the report for transferring the freehold of an area of land and the public

conveniences at Monsal Head as shown on the plan at Appendix 1 to the report to Penelope Thornton Hotels for use as car park and public conveniences are agreed.

2. That the Committee notes that transfer described in resolution 1. above comprises an undervalue transaction as permitted by the General Disposal Consent 2003.

MEETING CLOSED – 7.35PM

CHAIRMAN