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GOVERNANCE AND RESOURCES COMMITTEE

Minutes of a Meeting held on Thursday 17 September 2015 in the Council Chamber, Town Hall, Matlock at 6.00 pm.

PRESENT

Councillor Jacquie Stevens - In the Chair

Councillors Deborah Botham, Albert Catt, Phil Chell, Ann Elliott, Steve Flitter, Chris Furness, Alyson Hill, Neil Horton, Jean Monks, Garry Purdy, Irene Ratcliffe, Lewis Rose, OBE, Mark Salt, Colin Swindell and John Tibenham.

Dorcas Bunton (Chief Executive), Sandra Lamb (Head of Corporate Services), Tim Braund (Head of Regulatory Services), Karen Henriksen (Head of Resources), Jenny Williams (Interim Head of the Internal Audit Commission), Eileen Tierney (Licensing Manager), Mike Galsworthy (Estates and Facilities Manager), Caroline Leatherday (Business Support Manager), Jim Fearn (Communications and Marketing Manager) and Jackie Cullen (Committee Assistant).

Sue Sunderland and Cathie Clarke, KPMG (External Auditor)

APOLOGIES

Apologies for absence were received from Councillor Tony Millward, BEM. Councillor Ann Elliott attended as Substitute Member.

131/15 – MINUTES

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

RESOLVED

(unanimously)

That the minutes of the Governance and Resources meeting held on 16 July 2015 be approved as a correct record.

The Minutes were signed by the Chairman.

132/15 – ANNUAL GOVERNANCE REPORT 2014/15

The Committee considered the annual report of the District Council's external auditors in relation to Governance arrangements. Sue Sunderland, External Auditor, presented her audit of the Financial Statement and Value for Money report. Members' attention was drawn to page

3 of the report summarising the Headlines, and it was noted that no adjustments had been identified.

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

RESOLVED That the annual Governance Report 2014/15 be noted.
(unanimously)

133/15 – STATEMENT OF ACCOUNTS 2014/15

The Committee considered the Statement of Accounts for 2014/15, which was published as a separate document.

The key issues were highlighted, and although minor errors had been corrected, as raised by the External Auditor, this had not affected the financial position.

The Council's accounts had been prepared to comply with proper practices. Compliance could also be checked by reviewing the Statement of Accounts against the Audit Commission's Aide Memoire, which was attached as Appendix 1 to the report.

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

RESOLVED That the Statement of Accounts for 2014/15 be approved.
(unanimously)

134/15 – LETTER OF REPRESENTATION

The Committee was asked to consider and approve the draft Letter of Representation as part of the Members' responsibility for approving the financial statements.

It was moved by Councillor Albert Catt, seconded by Councillor Jean Monks and

RESOLVED That the draft Letter of Representation be approved.
(unanimously)

135/15 – INTERNAL AUDIT CHARTER

Members considered a report for information and approval of the results of a review of the Internal Audit Charter for the Internal Audit section.

In September 2013 the Internal Audit Charter and Strategy was formally approved by the Corporate Committee. Since that time, DDDC had employed the services of the Head of the Internal Audit Consortium to provide a management service and ensure compliance with the Public Sector Internal Audit Standards (PSIAS). The Consortium's Charter was considered still appropriate and accords with the PSIAS, and the wording had been tailored to DDDC.

The Internal Audit Charter was attached as Appendix 1 to the report. The PSIAS requirements were listed in the report.

It was moved by Councillor Chris Furness, seconded by Councillor Albert Catt and

RESOLVED 1. That Members note the outcome of the review of the Internal

- (unanimously) Audit Sections Charter be noted.
2. That the updated Internal Audit Charter be agreed.
 3. That the agreed 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

136/15 – INTERNAL AUDIT REPORTS CONCLUDED TO DATE UNDER THE 2015/2016 OPERATIONAL AUDIT PLAN

Councillor Mark Salt arrived at 6.20pm during discussion of this item.

The Committee considered the internal audit reports produced in respect of the 2015/2016 Internal Audit Plan.

The current Operational Audit Plan was approved by the Corporate Committee on 19 March 2015. Appendix 1 to the report showed a summary of reports issued covering the period 23rd May to 7th August 2015, for audits included in the 2015/16 Internal Audit Plan; a summary of the Overall Audit Opinion of the audit and the number of recommendations made/agreed for each report where a full response had been received; and the number of recommendations as High, Medium and Low priority.

The opinion column of Appendix 1 gave an overall assessment of the reliability of the internal controls examined in accordance with the classifications shown in the table at 2.4, showing that of the 10 reports issued, 8 presented with a good opinion and 2 with a satisfactory opinion.

It was noted that there were no issues arising that related to fraud that needed to be brought to the Committee's attention.

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

RESOLVED That the Committee note the findings and conclusions of the internal audit reviews.

Voting:

For	15
Against	0
Abstentions	1

137/15 – TAXI LICENSING FEES – REVISION

Members considered a report informing of legislative changes introduced by the implementation of the Deregulation Act 2015, regarding the renewal period for a Taxi/Private Hire Vehicle Driver's Licence (badge) and a Private Hire Operator's Licence. The changes required licensing authorities to grant a driver's licence for a 3-year period, and an operator's licence for a 5-year period (as a minimum), with effect from 1st October 2015.

The changes were reported in more detail, and were considered by the Licensing and Appeals Committee, on 15 July 2015, when Members proposed revised application fees for these licences, and recommended that the matter should be referred to this meeting of the Governance and Resources Committee for consideration.

Currently the District Council issued taxi driver licences (combined private hire and hackney carriage) for a 1-year period, and private hire operator licences for a 3-year period.

The required changes to the licence periods would need to be reflected in the cost of the licence. Procedures would also need to be updated to ensure drivers and operators remained 'fit and proper' during these extended periods, specifically in terms of monitoring for compliance with licence conditions.

The Local Government Miscellaneous Provisions Act (1976) (LGMPA) prescribed that the fee in respect of the grant of vehicle and operator licences should either be set at £25 or that it may be set at "such other sum as the Council may from time to time determine" subject to publication of a notice in a local newspaper; and retention of a copy of the notice at the District Council offices for a period of 28 days. No written objections were received, so the fees and charges would take immediate effect from the end of the 28-day consultation period which ran from 14 August to 10 September 2015.

The proposed fees were as follows:

Driver's Licence	Current Fees – licence renewable every year	Proposed Fees From 1st October - licence to be renewable every 3 years
Application for new or renewal of Driver's Licence	£58.00	£160.00
DVLA Check (every year)	£8.00	£8.00 (no change – check still required every year)
DBS Enhanced Criminal Record Check (Renewable every 3 years)	£44.00 (plus £8.00 DCC admin fee) & £2.00 DDDC handling fee	£44.00 (plus £8.00 DCC admin fee) & £2.00 DDDC handling fee (no change)
Driver's Knowledge Test (or Re-sit).	£28.50	£28.50 (no change)
Private Hire Operator's Licence*	Current Fees – licence renewable every 3 years	Proposed Fees From 1st October - licence to be renewable every 5 years
Application Fee	£242.00	£400.00
*Private Hire Operator would need a basic criminal record check, unless they were a licensed driver with the Council and had a current enhanced Disclosure.		

It was moved by Councillor Jean Monks, seconded by Councillor Albert Catt and

RESOLVED (unanimously) That the revised fees, as detailed above, for applications for Taxi/Private Hire Vehicle Driver Licences, and for Private Hire Operator Licences, to ensure the service is fully compliant with the provisions of the Deregulation Act 2015 by 1st October 2015 be agreed

138/15 – PROPERTY CONDITION SURVEYS 2015

The Committee considered a report that:

- Outlined the works identified by Condition Surveys at the District Council's main properties covering the period 2015 to 2020;

- Determined a programme for undertaking the works over the next 4 financial years;
- Outlined the additional capital funding required and recommended inclusion of these amounts in the revised Capital Programme proposals for 2016/17 to 2019/20 to be considered by Full Council.

In accordance with Government guidance and good practice on Asset Management, it was recommended that regular Condition Surveys were undertaken on Local Authority property; the last Condition Surveys took place in 2009 and accordingly, new surveys were undertaken earlier this year by Derbyshire County Council covering the period 2015-2020.

The survey findings were divided into 3 categories, namely Main Operational Properties, Park Pavilions and Public Conveniences and these were presented for consideration in Appendices 1-3 attached to the report.

The methodology of the surveys was set out in the report, and the condition of each element of each building, and the buildings as a whole, was assessed using the national condition ratings listed in the report. The results would be circulated to Members by the Estates and Facilities Manager once he had received them from DCC.

The work identified by the surveys was graded by priority using the following criteria:-

- 1 Urgent work to prevent closure of premises or serious risk.
- 2 Essential work required within 2 years.
- 3 Desirable work required within 3 –5 years.
- 4 Long term work outside the 5-year period.

Whilst a large proportion of the works identified could be incorporated in a planned maintenance strategy to be financed from existing revenue budgets, the more significant elements of work required, with a total cost of £1.45 million, had been incorporated in the Capital Programme. All the works identified in each category were outlined in Appendices 1-3 attached to the report and the significant (over £10,000) Capital works were further outlined in the body of the report, as summarised below:

PROPERTY	WORKS REQUIRED	COST
Matlock Town Hall	Roof, stonework and window upgrades and solar panels.	£776K
Wirksworth Leisure Centre	Heating plant upgrades/replacement.	£70K
Ashbourne Leisure Centre	Exterior finishes upgrades and Pool dehumidifier and other heating plant upgrades/replacement.	£312K
Hall Leys Park Cafe	Structural repairs and electrical upgrades	£30K
Bakewell Sports Pavilion	Roof, electrical and mechanical upgrades	£42K
Ashbourne Bowls Pavilion	Complete structural and electrical upgrades	£37K
Ashbourne Memorial Pavilion	Structural ,electrical and mechanical upgrades	£39K
Hall Leys Park Play Area Public Conveniences	New roof covering and electrical upgrades.	£19K
Matlock Bath Pavilion Public Conveniences	Structural repairs and new roof covering	£52K

One of the significant items identified in the Condition Surveys was the requirement for a new flat roof covering to the main 3 storey offices at Matlock Town Hall at a budget cost of £275,500.

Whilst the potential installation of solar panels on this roof was not strictly a Condition Survey issue, because significant works and the associated scaffolding equipment was necessary it was considered prudent to obtain a cost for undertaking such works at the same time. Further budget costs in the range £28K to £60K had been obtained for such works and the higher figure had been included in the Capital Programme pending further investigation in light of significant changes to the Feed-In Tariff recently announced by the Government. A report would be compiled with up-to-date information on this costing, to be brought back to this Committee at a future meeting.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Garry Purdy and

RESOLVED
(unanimously)

1. That the works identified in Appendices 1-3 to be funded from revenue budgets are noted and approved;
2. That the capital works identified in Appendices 1-3 are approved and included in the revised Capital Programme;
3. That the installation of solar panels is treated as a separate issue, and not included in Recommendations (1) and (2) above, and that a report is to be brought to this Committee at a later date with revised costings in light of the changes to the Feed-In Tariff.

139/15 – STRUCTURAL DAMAGE TO PUBLIC CONVENIENCES AT MEMORIAL GARDENS, MATLOCK BATH

The Committee considered a report regarding the consultation exercise that took place; an analysis and summary of the results; and sought Members' views on the most appropriate course of action to address the structural damage.

In April 2015 the Environment Committee considered a structural engineer's report that estimated the cost of repairs to the building at £176,167.50. The extent of the defects was detailed in the report. In view of the significant cost estimate for repairs, other options were explored to ensure that the best possible, value for money solution was implemented.

It was noted that the District Council had a legal duty to consult on any major change in provision of services to the public and all of the options set out in the July report were taken forward for public consultation, and suggestions for alternative solutions were invited at the same time; this public consultation exercise took place 24 July to 21 August and a total of 140 responses were received. A schedule of comments received was attached as Appendix 2 to the report.

The survey results were tabled in the report, and showed that 57% of all respondents favoured Option A – repair the building. However, the comments suggested that consideration should be given to the refurbishment of the interior, to bring the facilities up to a good standard. The costs of a refurbishment would vary depending on the approach that was taken, as set out below:

- A full refurbishment, which would include new sanitary-ware, cubicles, tiling and re-decoration to the standard of the toilets in Hall Leys Park, Matlock, was estimated to cost £70,000.

- A light touch approach, which could include replacement of damaged tiles and damaged sanitary-ware, steam cleaning and re-grouting of tiling and a complete redecoration, was estimated to cost £20,000.

In evaluating the options, consideration needed to be given to the cost of the works and the method of procurement to ensure best value for the District Council, as identified in the report.

Recommendations 1 and 2 in the report were dealt with first and it was moved by Councillor Garry Purdy, seconded by Councillor Irene Ratcliffe and

- RESOLVED** (unanimously)
1. That the results of the public consultation exercise be noted
 2. That Option A in the report, to repair the Building, be approved;

The Council then considered whether the interior should undergo a full or “light-touch” refurbishment, as described above.

It was moved by Councillor Lewis Rose, OBE, seconded by Councillor Garry Purdy

That a full refurbishment programme for the interior of the building at an estimated cost of £70,000, be approved and that the Capital Programme be updated accordingly.

An amendment to that motion was moved by Councillor Chris Furness, seconded by Councillor Colin Swindell, that a ‘light touch’ refurbishment programme for the interior of the building, at an estimated cost of £20,000, be approved and that the Capital Programme be updated accordingly.

The amendment was put to the vote, as follows:

In Favour	3
Against	13
Abstentions	0

The Chairman declared the amendment LOST.

The substantive motion was then put to the vote, as follows and it was

RESOLVED That a full refurbishment programme for the interior of the building at an estimated cost of £70,000, be approved and that the Capital Programme be updated accordingly.

Voting:

For	13
Against	3
Abstentions	0

The Chairman declared the motion carried.

140/15 – COMMUNICATIONS AND MARKETING STRATEGY

The Committee considered the Communications 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 District Council adopted its current Communications and Marketing Strategy in September 2014, reflecting the development of technology and the needs both of the public and the District Council, which had evolved dramatically since the previous strategy's adoption in 2011.

The adopted Strategy set out a multi-channel approach to reach a wide variety of customers and stakeholders, as detailed in the report, setting a framework for communications and giving direction to all media, online, internal, marketing, publications and public relations communications actively undertaken on behalf of the district council.

The Strategy was attached as Appendix 1 to the report, and it was noted that it was without a timeframe, in order to maintain 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 2014/15 action plan was set out in the report, from which it was noted that the Website target had been to increase website monthly visitor numbers by 10% in the past year – the actual figure at the time of writing was 55,969 – an increase in the past year of almost 40%. The new action plan for 2015/16 was set out in the report, to include considering enabling access via mobile devices.

It was moved by Councillor Colin Swindell, seconded by Councillor Alyson Hill and

- RESOLVED**
(unanimously)
1. That the strategic framework of the current Communications and Marketing Strategy is noted.
 2. That the action plan for 2015/2016 is approved.

141/15 – COMPLAINTS MONITORING

Councillor Lewis Rose, OBE, left the meeting at 7.52pm during discussion of this item.

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

The report provided details of complaints against the Council that were dealt with through the Council's Complaints Procedure as formal complaints. During 2014/15 the District Council received 65 official complaints, an increase of 7 on the previous year; these were tabled in the report according to service area.

Members of the public who were unhappy with the initial response to their complaint could ask for it to be reviewed by the Chief Executive; and those complainants who remained dissatisfied with the handling of their complaint following the final stage of the internal complaints procedure were able to take their issue up with the Local Government Ombudsman (LGO). The LGO's annual review letter was attached at Appendix 1 to the report and showed that 9 complaints relating to the District Council were received during this period.

It was noted that eleven decisions were made during the period, 3 of which were investigated, and details of the one decision that was upheld were set out in the report, but the LGO was satisfied that the Council's actions did not cause the complainant a significant injustice.

The Monitoring Officer received one complaint about individual Member behaviour during the period, as set out in the report, together with the Monitoring Officer's assessment.

It was moved by Councillor Chris Furness, seconded by Councillor Steve Flitter and

RESOLVED That the report be noted.
(unanimously)

142/15 – PROCUREMENT STRATEGY 2015-2018

The Committee was asked to approve the newly revised Procurement Strategy.

The Council adopted its first formal Procurement Strategy in 2003. The original strategy had since been updated in 2006 and 2010, and the newly revised strategy aimed to reflect the Council's initiatives to remove unnecessary complexity from processes and procedures and to retain only those that add value to the service it delivers. The Strategy was attached as an Appendix to the report.

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

RESOLVED That the DDDC Procurement Strategy 2015-2018 be adopted.
(unanimously)

MEETING CLOSED 8.10PM

CHAIRMAN