



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](mailto:committee@derbyshiredales.gov.uk)

## **GOVERNANCE AND RESOURCES COMMITTEE**

**Minutes of a Meeting held on Thursday 24 March in the Council Chamber, County Hall, Matlock at 6.00pm**

### **PRESENT**

Councillor Jacquie Stevens - In the Chair

Councillors Deborah Botham, Albert Catt, Ann Elliott, Steve Flitter, Chris Furness, Alyson Hill, Angus Jenkins, Tony Millward, BEM, Garry Purdy, Irene Ratcliffe, Mark Salt, Colin Swindell, John Tibenham and Joanne Wild.

Sandra Lamb (Head of Corporate Services), Paul Wilson (Corporate Director), Mike Hase (Planning Policy Manager), Karen Henriksen (Head of Resources), Rob Cogings (Head of Housing), Mike Galsworthy (Estates and Facilities Manager), Jenny Williams (Internal Audit Consortium Manager) and Jackie Cullen (Committee Assistant).

Councillor Sue Burfoot attended as Ward Member.

John Cornett and Simon Lacey, KPMG (External Auditor)  
2 Members of the public

### **APOLOGIES**

Apologies for absence were received from Councillors Jean Monks and Lewis Rose, OBE. Councillors Ann Elliott and Joanne Wild attended as Substitute Members.

### **359/15 – MINUTES**

It was moved by Councillor Colin Swindell, seconded by Councillor Mark Salt and

**RESOLVED**  
(unanimously)

That the minutes of the meeting of the Governance and Finance Committee held on 21 January 2016 be approved as a correct record.

The Minutes were signed by the Chairman.

### **360/15 – PUBLIC PARTICIPATION**

In accordance with the procedure for public participation, the following addressed the meeting with regard to Agenda tem 12: Land and Property Disposals – Nursery Site, Hurds Hollow, Matlock:

Mr Trevor Brown, local resident, voiced his concerns over the effect on the environment, in particular the proposal to cut trees and shrubs on the south side of this development. Mr Brown stated that the scrub on the bank provided excellent cover for wildlife, and there was evidence of bat roosting. Mr Brown requested that the trees and bank be excluded from the sale of this land.

Cllr Sue Burfoot, Ward Member for Matlock All Saints, stated that she had no objection to affordable housing on this site; however the layout on the indicative plan raised concerns over the removal of trees and therefore the effect on the wildlife habitats. Cllr Burfoot suggested that an alternative layout be found to protect this belt of trees.

### **361/15 – EXTERNAL AUDIT PLAN 2015/16**

John Cornett of KPMG presented the External Audit Plan 2015/16 and drew Members' attention to the Headlines as set out on page 1. Mr Cornett clarified how the 'Materiality' figure was determined.

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

**RESOLVED** That the External Audit Plan 2015/16 be noted.  
(unanimously)

### **362/15 – INTERNAL AUDIT REPORTS CONCLUDED TO DATE UNDER THE 2015/16 OPERATIONAL AUDIT PLAN**

The Committee considered the internal audit reports produced in respect of the 2015/16 Internal Audit Plan.

The current Operational Audit Plan was approved by Corporate Committee on 19 March 2015. A summary of reports issued covering the period 5th December to the 26<sup>th</sup> February 2016, for audits included in the 2015/16 Internal Audit Plan, was attached as Appendix 1 to the report. The appendix also showed for each report a summary of the Overall Audit Opinion of the audit as well as the number of recommendations, analysed between High, Medium and Low priority.

It was noted that 7 reports had been issued: 5 with a good opinion and 2 with a satisfactory opinion. Members were advised that there were no issues relating to fraud that needed to be brought to the Committee's attention.

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

**RESOLVED** That the Committee note the findings and conclusions of the internal  
(unanimously) audit reviews.

### **363/15 – INTERNAL AUDIT OPERATIONAL PLAN 2016/17**

Councillor Angus Jenkins arrived at 6.35pm during discussion of this item.

The Committee considered the Internal Audit Operational Plan 2016/2017 which outlined the assignments and estimated resources needed during the year, the terminology for which was explained in Appendix A to the report.

It was noted that the plans for 2017/18 and 2018/19 were indicative only and could well change in order to meet the priorities of the Council.

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

**RESOLVED** That the Internal Audit Plan for 2016/17 be agreed.  
(unanimously)

### **364/15 – EXTERNAL REVIEW OF INTERNAL AUDIT**

The Committee considered a report on the procurement of an external provider to undertake the review of internal audit that was required by the Public Sector Internal Audit Standards (PSIAS).

The PSIAS required that internal and external assessments of internal audit must take place. An internal self-assessment was undertaken on an annual basis, and external assessments should be carried out at least once every 5 years by a qualified, independent assessor or team, the first of which needed to be completed by April 2018. This could either be a “full” external assessment or a self- assessment with “independent validation”. The assessment options were set out in the report, together with the necessary qualifications for assessors, a summary of the assessment process for the validated self-assessment option, the method of procurement of an external provider and an estimate of the potential costs.

It was moved by Councillor Garry Purdy, seconded by Councillor Albert Catt and

**RESOLVED** (unanimously)

1. That authorisation be given to proceed with the procurement of an external provider to undertake an “independent validation” of the self-assessment of internal audit that had been undertaken by the Internal Audit Consortium Manager.
2. That the procurement exercise was to be undertaken on behalf of Derbyshire Dales District Council and the Internal Audit Consortium partner members by utilising the NHS procurement service and advertising on Source Derbyshire.
3. That authority be delegated to the Internal Audit Consortium Manager and the Head of Resources to agree the specification and to assess the external provider quotations based on cost and quality and to appoint an external provider to undertake the assessment.
4. That the budget for the assessment be financed from the general reserve.

### **365/15 – LAND HOLDINGS REVIEW PHASE 3**

The Committee considered a report on Phase 3 of the Land Holdings Review that covered 2 sites across the District on which inquiries or expressions of interest had been received. Following detailed consideration of planning, legal and estate management factors, recommendations were made regarding whether the sites should be retained or sold and the terms which would apply.

The results and recommendations were summarised in Appendix 1 to the report, together with plans of each site. It was noted that Tinkersley Parish Council had stated an interest in a tree planting scheme in respect of Site No.1.

It was moved by Councillor Joanne Wild, seconded by Councillor Mark Salt and

**RESOLVED** That the sites numbered 1 and 2 be retained as indicated in Appendix  
(unanimously) 1 to the report.

### **366/15 – LAND AND PROPERTY DISPOSALS – CLOSED PUBLIC CONVENIENCES, FANNY SHAW, WIRKSWORTH**

Councillor Joanne Wild left the meeting at 7.03pm during discussion of this item.

The Committee considered a request from Wirksworth Town Council for the closed former public conveniences at Fanny Shaw Recreation Ground, Wirksworth to be transferred freehold to Wirksworth Town Council for future use as a community facility.

The District Council owned the former public conveniences in Fanny Shaw Recreation Ground, Wirksworth, as shown on the plan at Appendix 1 to the report. The facility was closed over 10 years ago and approval was given to its demolition and site clearance as part of the 2011 Review of Public Conveniences. However, following requests from the Local Ward Members, the demolition of the facility was deferred whilst the possibility of the future use of the building for a community facility was investigated.

It was proposed that the closed Fanny Shaw public conveniences be transferred freehold to Wirksworth Town Council on the agreed Heads of Terms as set out in the report, subject to contract, at the valuation of the transfer of £5,000 as determined by the Council's Valuer, and as permitted under the General Disposal Consent 2003.

The relevant Ward Members had been consulted on the proposed transfer and their responses indicated concern regarding the payment of an as yet indeterminate sum for legal fees. The Head of Corporate Services agreed to investigate further.

The proposed future use of the building had yet to obtain Planning Consent so the consideration of the Heads of Terms and disposal of the District Council's land by this Committee would be entirely without prejudice to any future decisions by the District Council as Planning Authority.

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

**RESOLVED** 1. That the terms outlined in paragraph 3 of this report for transferring the freehold of the Fanny Shaw public conveniences as shown on the plan at Appendix 1 to the report to Wirksworth

Town Council are agreed, subject to legal expenses being agreed with the Town Council.

2. That it is noted that the disposal in 1 above constitutes an undervalue transaction permitted under the General Disposal Consent 2003.

**Voting:**

<b>For</b>	13
<b>Against</b>	0
<b>Abstentions</b>	1

The Chairman declared the motion carried.

**367/15 – LAND AND PROPERTY DISPOSALS – NURSERY SITE, HURDS HOLLOW, MATLOCK**

Councillor Tony Millward left the meeting at 7.23pm during discussion of this item.

The Committee considered a report on the outcome of negotiations with Westleigh Homes to agree terms for a freehold disposal of the nursery site for the development of 14 affordable homes.

The site had been used for over 20 years as a Council Nursery although this function had reduced considerably over recent years. The site was shown edged in black on the plan at Appendix 1 to the report.

The Community Housing Team had been working in partnership with Westleigh Developments and Waterloo Housing Association to bring forward a scheme of affordable homes on the Dimple site; details of the funding for the scheme were set out in the report, together with Westleigh Homes' proposed programme, and a plan of the proposed scheme was included at Appendix 2 to the report.

It was reported that discussions had taken place between the District Council's Valuer, The Head of Housing and Westleigh Homes in order to agree terms. The Agreed Heads of Terms, subject to planning consent and subject to contract were set out in the report, and it was considered that the proposed terms for the transfer to Westleigh Homes would comply with the General Disposal Consent 2003. As the proposed scheme had yet to obtain Planning Consent, consideration of the Heads of Terms and disposal of the District Council's land by this Committee would be entirely without prejudice to any future decisions by the District Council as Planning Authority.

The Ward Members and the Parish Council had been consulted on the disposal and their views were reported at the meeting, namely that the bank area be taken out of the sale.

Councillor Ann Elliott proposed an amendment to the Recommendation, seconded by Councillor Steve Flitter. It was then moved and

- RESOLVED**
1. That the terms outlined in paragraph 1.4 of this report for transferring the freehold of the Hurds Hollow Nursery Site as shown on the plan at Appendix 1 to the report, subject to the exclusion of the banking area, to Westleigh Homes are agreed subject to the necessary planning consents being obtained by

Westleigh Homes.

2. That Members note that the disposal in (1) above comprises an undervalue transaction permitted under the General Disposal Consent 2003

**Voting:**

<b>For</b>	3
<b>Against</b>	10
<b>Abstentions</b>	0

The Chairman declared the motion defeated.

It was then moved by Councillor Albert Catt, seconded by Councillor Garry Purdy and

- RESOLVED** (unanimously)
1. That the terms outlined in paragraph 1.4 of this report for transferring the freehold of the Hurds Hollow Nursery Site as shown on the plan at Appendix 1 to the report to Westleigh Homes are agreed subject to the necessary planning consents being obtained by Westleigh Homes.
  2. That Members note that the disposal in (1) above comprises an undervalue transaction permitted under the General Disposal Consent 2003

The Chairman declared the motion carried.

### **368/15 – PROPERTY CONDITION SURVEYS 2015 – TOWN HALL WORKS**

Councillor Mark Salt left the meeting at 8.00pm and Councillor Colin Swindell left at 8.10pm during discussion of this item

An updating report was distributed at the meeting, which outlined the options and payback times for the installation of Solar PV panels as part of the Town Hall re-roofing contract.

A provisional sum of £50,000 was already included in the tender figure of £217,026.86 for the roofing works. Following significant changes to the Feed In Tariff last year, an analysis had been undertaken of the various PV panel options and associated pay back times and these were set out in this updating report.

It was moved by Councillor Albert Catt, seconded by Councillor Angus Jenkins and

- RESOLVED** (unanimously)
- That given that the 3 proposals for Solar PV Panels were within budget and have a payback period of under 10 years, DCC be instructed to analyse the 3 quotations received and proceed with the most Economically Advantageous Proposal to be included in the Town Hall re-roofing contract.

### **369/15 – SERVICE REVIEWS 2016/17**

The Committee considered a report that set out the outcomes of the 2015/16 Service Reviews and recommended a review programme for 2016/17.

On 23 April 2015 Council approved the programme of Service Reviews for 2015/16. For each of the current service reviews, the progress and any savings identified were set out in the report, and a summary of the significant ongoing savings generated was tabled in the report.

In addition to Service Reviews, the District Council had taken part in a countywide initiative for a joint Building Control service (see report to Council, 28 January 2016). A single service, based on a public sector company model, was being progressed with a proposed implementation date of 2 April 2016.

It was proposed to continue/complete the following major Service Reviews during 2016/17:

- Development Management – implementation of electronic processes, new ways of working and revised team structures to achieve planned savings.
- Highways (agency work) – identify savings in preparation for a cut in payments from the County Council expected in 2017/18
- Leisure – evaluation and implementation of alternative service delivery options to achieve further savings

In addition, the following separate Service Reviews were proposed for 2016/17:

- Finance and audit
- Corporate services
- Fees and charges
- Estates and facilities
- ICT
- Regeneration and policy
- Public conveniences

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

- RESOLVED** (unanimously)
1. The 2016/17 Service Review programme is approved as set out in section 4 of the report
  2. The outcomes of the 2015/16 Service Reviews are noted
  3. Progress with ongoing reviews and joint projects is noted

### **370/15 – EQUALITY, CONSULTATION AND ENGAGEMENT PLAN 2016/17**

The Committee considered a report that requested approval of a combined Equalities, Consultation and Engagement Plan for 2016-17 and to note the progress against actions in the Quality Plan 2015-16 and the Consultation and Engagement Plan 2015-16. The report set out what consultation and engagement activities were proposed to be undertaken each year as a way of identifying the means by which it could fulfil its statutory duty to undertake consultation.

Updated equality information was published on the District Council's website, as required in legislation, on 31 January 2016. Between 14 February and 26 March 2012, the District Council consulted on three draft equality objectives that had been agreed at Community & Environment Committee on 19 April 2012 (Minute No. 387/12). Progress towards these objectives at February 2016 was summarised in Appendix 1 to the report. The District Council's equality objectives were listed in the report.

The Equality Plan 2015 - 2016 set out for each objective at least one or two performance measures/targets, which were detailed in Appendix 2 to the report. Of the six identified targets; one had been fully achieved and five partially achieved as at February 2016 but on track to be achieved by the year end, as detailed in the report.

Completed Equality Impact Assessments were listed in the report, together with recommended targets to be made subject to an EIA during 2016 - 2017 to ensure that due regard was had to equalities issues prior to any significant decisions being made. Completed EIAs were also published on the District Council's website to demonstrate compliance with the Equality Duty.

The Consultation and Engagement Plan 2015 – 2016 (Appendix 3 to the report) provided a structured framework for the District Council's consultation and engagement activities during the last financial year.

Equalities, Consultation and Engagement were inextricably linked, and as such it was considered more efficient to prepare a single Equality, Consultation and Engagement Action Plan rather than two separate documents. A draft Equality, Consultation and Engagement Plan for 2016/17 had been prepared as set out in Appendix 4 to the report.

It was moved by Councillor Angus Jenkins, seconded by Councillor Garry Purdy and

**RESOLVED**  
(unanimously)

1. That progress against the actions in the Equality Plan 2015-16 and the Consultation and Engagement Plan 2015-16 be noted.
2. That the Equalities, Consultation and Engagement Plan 2016-17 as set out in Appendix 4 to the report be approved.

### **371/15 – RESULTS OF CUSTOMER SATISFACTION SURVEYS FOR COUNCIL TAX AND HOUSING BENEFITS SERVICES**

The Committee considered a report that provided members with the results from customer satisfaction surveys for council tax and housing benefits services.

During January 2016, Council Tax customers and Benefit claimants were contacted by telephone and invited to take part in a short customer satisfaction survey to help us to continue to improve our services; the key survey results were tabled in the report.

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

**RESOLVED**  
(unanimously)

That the survey results be noted.

### **372/15 – EXCLUSION OF PUBLIC AND PRESS**

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

**RESOLVED**  
(unanimously)

That members of the public be excluded from the meeting for the remaining item of business to avoid disclosure of exempt information.

### 373/15 – ARREARS FOR WRITE-OFF

The Committee considered a report detailing debts that had been pursued through all appropriate methods of recovery open to the Council. Any further action attempted would be likely to incur additional expenses to the Council without the prospect of payment and as such these debts were referred to this Committee for authorisation to write them off in accordance with Financial Regulation B7(b).

Members were advised that any debt would be reinstated where further information subsequently came to light that allowed further recovery action to be pursued.

CIPFA guidelines recommended that bad debts should be identified and written off from the accounts as soon as possible.

The amounts recommended for write-off were summarised in the report as follows.

	<b>Amount recommended for Write-Off (Appendix 1)</b>	Amounts of £1,500 and under written-off under delegated authority	Total Write-Offs	Budgetary Provision for Bad Debts	Total amount written-off in 2013/14	Total amount written-off in 2014/15
	£	£	£	£	£	£
Council Tax	<b>42,697.72</b>	19,180.85	61,878.57	171,000	93,730.25	27,403.93
NNDR	<b>165,304.67</b>	2,367.31	167,671.98	228,000	131,561.57	41,075.12
Housing Benefit Overpayments	<b>3,873.50</b>	37,874.38	41,747.88	125,000	0	0
Sundry Debtors	<b>0.00</b>	21,683.10	21,683.10	40,000	32,243.48	29,114.80
<b>Total</b>	<b>211,875.89</b>	<b>81,105.64</b>	<b>292,981.53</b>		<b>257,535.30</b>	<b>97,593.85</b>

It was moved by Councillor Steve Flitter, seconded by Councillor Angus Jenkins and

**RESOLVED** That the arrears for individual amounts exceeding £1,500 listed in Appendix 1 totalling £211,875.89 be written off.  
(unanimously)

**MEETING CLOSED – 8.37PM**

**CHAIRMAN**