



## Public Document Pack

# Uttlesford District Council

Chief Executive: Dawn French

## **Governance, Audit and Performance Committee**

### **Information Pack**

#### **Important Information**

The Governance, Audit and Performance Committee meeting scheduled for 24 March 2020 was cancelled due to the coronavirus outbreak.

#### **Council Tax Discounts – Care Leavers Policy**

**Date of Decision:** Thursday, 2nd April, 2020  
**Decision Maker:** Director – Finance and Corporate Services

There is a need for an urgent decision to be made on Item 5 on the agenda, Council Tax Discounts, relating specifically to the Care Leavers Policy. The recommendation reads as follows:

To recommend to Council the adoption of the following policies as set out in the report and associated appendices;  
a. That a Council Tax discretionary discount for Essex Care Leavers as set out in Appendix A is applied

*Please read the report and Appendix A below:*

The Director – Finance and Corporate Services will take this decision on Thursday 2<sup>nd</sup> April 2020, having had sufficient time to receive comment from the Committee and members of the public. This is in accordance with Part 3 of the Council's constitution, which states that chief officers and deputy chief officers have delegated authority to take any action which would normally require committee approval but which requires an urgent decision subject to that action being in accordance with Council policy and within budget.

#### **Draft Internal Audit Work Programme 2020/21**

The draft internal audit work programme 2020/21 is attached for information.

## **GAP Annual Report**

The draft annual report for the Committee is open to comments from Members of the Committee before it is sent to Council. Comments should be received by 2 April 2020.

## **Representations**

Members of the public are asked to send their representations on any of the above items to [committee@uttlesford.gov.uk](mailto:committee@uttlesford.gov.uk).

# Agenda Item 5

<b>Committee:</b>	Governance, Audit and Performance	<b>Date:</b>
<b>Title:</b>	Discretionary Council Tax Relief Policy	Tuesday, 24 March 2020
<b>Report Author:</b>	Sue Ellis, Revenues Manager sellis@uttlesford.gov.uk	<b>Item for decision:</b> Yes

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## Summary

1. S13A(1)(c) of the Local Government Finance Act gives billing authorities (those responsible for the billing and collection of council tax) the discretionary power to reduce, or further reduce, the amount of council tax a person is liable to pay. This power is applied in cases of exceptional hardship.
2. In December 2019, Leaders and Chief Executives of the County, district, borough and city councils in Essex agreed that they would like to support care leavers with their council tax liabilities.
3. The Local Government Finance Act 2012 amended the Local Government Finance Act 1992 allowing local discretion over the implementation of certain discounts in place of statutory exemptions and also allows for the use of premiums for certain long term empty premises.
4. Council Tax Premiums apply to all unoccupied and unfurnished properties in Uttlesford after a period of 2 years has elapsed since the property became unoccupied. Where there are mitigating circumstances it may be deemed that the premium is not appropriate and can be waived subject to qualifying criteria.

## Recommendations

5. The Committee is requested to recommend to Council the adoption of the following policies as set out in the report and associated appendices;
  - a. That a Council Tax discretionary discount for Essex Care Leavers as set out in Appendix A is applied
  - b. That the Empty Property Premium Waiver as set out in Appendix C is applied

## Financial Implications

6. The cost of the discount applied to Care leavers will be shared with Essex County Council, who have agreed to fund up to 72% of the cost through the precept. It is hard to quantify the number of Care leavers in the Uttlesford District area due to Data Protection principles Essex County Council are unable to release the numbers to us, however it is expected the numbers to very low.

The Council Tax Premium waiver will be fully funded by Uttlesford, the estimated income collectable in 2020 is £144,020 and the forecast prediction of properties that may qualify for the waiver is 10 at an average cost per property of £1,921 per property.

## Background Papers

7. None

## Impact

Communication/Consultation	None
Community Safety	None
Equalities	Yes
Health and Safety	None
Human Rights/Legal Implications	Compliance with relevant legislation
Sustainability	<ul style="list-style-type: none"> <li>• UDC will be refunded by ECC via precept 72% of the cost of the care leavers scheme</li> <li>• UDC will meet the full cost of the Council Tax Premium waiver</li> </ul>
Ward-specific impacts	None
Workforce/Workplace	None

## Care Leavers Discount Policy

8. The Council Tax Care Leavers policy is attached as Appendix A and has been discussed by Essex Chief Executives and Leaders and Essex Finance Officers Association. For consistency the same policy will be introduced across Essex.
9. The policy applies to specified persons leaving the care of Essex County Council until they reach the age of 21. The unitary authorities of Thurrock and Southend have implemented their own policies covering their own care leavers.
10. The principle behind the policy is that a care leaver living alone or solely with other care leavers will pay no council tax (in much the same way as the exemption which is applied to students). A care leaver who joins a household which already pays council tax will be granted as much relief as is required to

ensure that the existing council tax liability does not increase as a result of their presence in the household.

11. In all cases, the care leaver is required to ensure that they apply for all applicable national or local reliefs, discounts, exemptions or reductions to ensure that the council tax liability is reduced by as much as possible before any discretionary assistance is calculated.
12. The policy will take effect from 1 April 2020.

### **Council Tax Premium waiver**

13. The Local Government Finance Act 2012 amended the Local Government Finance Act 1992 allowing local discretion over the implementation of certain discounts in place of statutory exemptions and also allows for the use of premiums for certain long term empty premises.
14. The intention of Central Government is to allow Councils the flexibility to raise additional Council Tax and to ensure that premises do not remain unoccupied or unused for extensive periods of time.
15. Council Tax Premiums apply to all unoccupied and unfurnished properties in Uttlesford after a period of 2 years has elapsed since the property became unoccupied, irrespective of the individual circumstances relating to the property or owner.
16. There are mitigating circumstances where it may be deemed that the premium is not appropriate and can be waived providing the qualifying criteria is met.
17. The proposed exceptions are set out in Appendix C of the Council Tax Empty Property Policy (Appendix B), the waiver on the premium will be by application and full supporting evidence will be required in each case.
18. The Policy will take effect from the 1<sup>st</sup> April 2020 and each application will be considered by the Revenues Manager in consultation with the Assistant Director of Resources.

### **Risk Analysis**

Risk	Likelihood	Impact	Mitigating actions
Care leavers cost implications could be higher than anticipated	1-The number of Care leavers in UDC area is low this maybe under estimated	1 – reduction in council tax collectable income	ECC sharing the costs (72% of the total cost of discount)  Regular monitoring of the level of relief awarded on a quarterly basis

Council Tax Premium Waiver will be higher than budgeted	2 – The number of applications are estimated only, however in the last financial year approx. only 5 affected property owners provided representations against the charge	2 – The financial impact for the Council is moderate	Robust policy with clear and concise qualifying criteria  Review of the amount of premiums waived will be reviewed on a quarterly basis
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- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.

## **Discretionary Council Tax Discount Policy**

### **Care Leavers Discretionary Discount**

#### **Introduction**

This policy utilises the discretionary power available to billing authorities arising from S13A(1)(c) of the Local Government Finance Act 1992 to reduce, or further reduce, the amount of council tax a care leaver is liable to pay with effect from 1 April 2020.

#### **Definitions**

For the purpose of this policy, a 'care leaver' is defined as:

A person aged up to 21, who has either

- (a) been looked after by Essex County Council 'Essex' for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date; or
- (b) who is entitled to leaving care support from Essex

The Children Act 1989 defines the categories of children entitled to leaving care support as:

'Eligible children' are those young people aged 16-17 who are still in care and have been 'looked after' for a total of 13 weeks from the age of 14 and including their 16th birthday;

'Relevant children' are those young people aged 16 and 17 who have already left care, and who were 'looked after' for at least 13 weeks from the age of 14 and have been 'looked after' at some time while they were 16 or 17;

'Former relevant children' are those young people aged 18, 19 or 20 who have been eligible and/or relevant.

#### **Policy statement**

For the purpose of calculating the amount of discretionary council tax reduction to apply, care leavers and those in their household are required to take steps to minimise their liability for council tax by claiming discounts, exemptions and council tax reduction.

After all discounts, exemptions and council tax reduction have been claimed the Council will reduce the council tax liability so that the liability of the household is the same as it would have been had the care leaver been a 'disregarded persons' (such as students) as detailed in s11 and Schedule 1 of the Local Government Finance Act 1992.

For example:

A care leaver joining an existing household with a single person discount in place will be given sufficient discretionary relief to ensure that the council tax liability does not increase as a result of their presence.

A household where only care leavers are liable to pay council tax will be given sufficient discretionary relief to extinguish the council tax liability completely.

A care leaver in a property, which would otherwise be exempt from council tax, will be given sufficient discretionary relief to ensure that no council tax continues to be payable.

**Committee:** Governance, Audit and Performance Committee

**Date:**

Tuesday, 24 March 2020

**Title:** Draft Internal Audit Work Programme 2020/21

**Report Author:** Sheila Bronson, Audit Manager

sbronson@uttlesford.gov.uk

## Summary

1. The purpose of this report is to present to Members the details of the proposed draft Internal Audit Work Programme for 2020/21

## Recommendations

2. That Members approve the proposed draft Internal Audit Work Programme for 2020/21 and consider any additional areas for Internal Audit work during in 2020/21

## Financial Implications

3. None

## Background Papers

4. None.

## Impact

- 5.

Communication/Consultation	The draft Internal Audit Work Programme 2020/21 referred to in this report has been agreed with Corporate Management Team and will be discussed with the Senior Management Team at its meetings in March and April 2020
Community Safety	none
Equalities	none
Health and Safety	none
Human Rights/Legal Implications	none
Sustainability	none

Ward-specific impacts	none
Workforce/Workplace	none

## Situation

6. Internal Audit is part of the Council's corporate governance framework. Corporate governance is defined as the system by which local authorities direct and control their functions. The requirement for adequate and effective Internal Audit is statutory for all local authorities.
7. With effect from 1 April 2013, the work of Uttlesford District Council's (UDC) Internal Audit is governed by the UK Public Sector Internal Audit Standards (PSIAS) which have replaced the CIPFA Code of Practice for Internal Audit in the UK. The PSIAS require that there must be a risk-based internal audit plan that takes into account the requirement to produce an annual internal audit opinion and assurance framework and the plan must be reviewed and approved by senior management (CMT) and the board (Performance & Audit Committee).
8. Internal Audit uses a rolling programme of risk based internal audit work to meet requirements and resources during the year. Any review and revision to the programme will be reported to the Committee through Internal Audit Progress Reports.

## Draft Internal Audit Work Programme 2020/21

9. Work on the 2020/21 Audit Programme is expected to start from 01 April 2020 alongside completion of any residual work from the 2019/20 Audit Programme.
10. The available audit days have been calculated on the resources available of:
  - 1 x FT Audit Manager
  - 1 x FT Internal Auditor
  - 1 x 0.67 FTE Internal Auditor
11. The initial Internal Work Programme for 2020/21 allocation of audit days calculated as follows:

<b>Total Days available</b>	<b>697</b>
Less non-productive (e.g. bank holidays, leave, admin, CPD, Training etc.)	<u>- 234</u>

<b>Total available productive time</b>	<b>463</b>
Less Productive non-audit work (e.g. Annual Governance Statement; consultancy & general advice; Committee & Member related work; Contribution to Corporate Management; fraud related work; irregularity provision; follow-up work; residual 2019/20 work etc.)	<u>- 163</u>

<b>Total days available for planned audit work</b>	<b>300</b>
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12. The 2020/21 programme audit work is risk based as far as is possible; our priorities for audits are:

1. Corporate Plan Actions / Corporate & Strategic Risks / Key Performance Indicators (latest data available at the time of preparation of this report);
2. Key Financials –statutory audits (audited on a 3 year cycle);
3. Internal Audit identified high risk areas;
4. Specifically requested risk areas or services;
5. Audits carried forward from the 2019/20 plan;
6. Overdue audits from the strategic plan.

13. Approximately 300 days are available for auditing from 01 April 2020 to 31 March 2021; at this stage potential days per audit have not been allocated.

14. The following audits are included in the draft Internal Audit Work Programme 2020/21:

CORPORATE AUDITS	COMMENT
Climate Change & Sustainability	Formerly Energy Efficiency last audit 2017/18, to incorporate Climate Change & Sustainability, Corp Plan 2020
Commercial Enterprises & Investments	new enterprises and investments
Fleet & Fuel Management	Last audited 206/17, changes following JVP
Uttlesford Norse	UDC monitoring of JVP

KEY FINANCIAL AUDITS	COMMENT
Council Tax	Key financial audit – year 1
Benefits (including LCTS)	Key financial audit – year 1
Main Accounting System	Key financial audit – year 1
Taxation	Key financial audit – year 1
Payroll, Allowances & Expenses	Key financial audit – year 1

FOLLOW UP AUDITS	COMMENT
Business Continuity & Emergency Planning	2019/20 Audit - LITTLE
Equality & Diversity	2019/20 Audit - LIMITED

- *there may be further follow up audits depending on 2019/20 Audit Opinions for audits currently WIP*

OTHER AUDITS	COMMENT
Communication	Last audit 2015/1, Corp Plan
Day Centres	service changes
Risk Management	Last audit 2015/16, RM review & service changes

Website & Consultation	New audit area, Corp Plan
Grounds Maintenance	Last audit 2014/15, Corp Plan
Highway Ranger Services	Last audit 2014/15, Corp Plan
Street Cleaning	Last audit 2014/15, Corp Plan
Elections	Last audit 2016/17 service changes & elections since
Environmental Health C - Food Safety & Infectious Disease Control	Last audit 2013/14, b/f from 2019/20
Housing - Landlord Services	New audit area
Economic Development - business parks and communities	New audit area b/f from 2018/19; Corp Plan
Economic Development - Stansted airport & partners for economic opportunities, jobs & prosperity	New audit area b/f from 2018/19; Corp Plan
Neighbourhood Plans	New audit area b/f from 2018/19; Corp Plan

15. The 2020/21 Strategic Programme details all of the potential audit areas and the information on which the audit risk assessment has been based and is reproduced in the appendix to this report.

## Risk Analysis

16.

Risk	Likelihood	Impact	Mitigating actions
The Council does not provide for an adequate and effective internal audit function	1 Internal Audit function is an integral part of the Council	3 Statutory requirement, adverse External Auditor comment	Strategic audit programme approved by Senior Officers and Members, reconciled to available audit resource
The Council's audit environment changes and available audit resource is no longer sufficient	2 No spare capacity if unforeseen long term absence of staff	2 Review of audit plan leading to reduction of audit coverage. Potential	Regular monitoring and highlighting potential shortfall

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Strategic Programme 2020-21 March 2020		2020/21 programme (initial)	IA Risk assessment	comment JAN 2020	last audited	last audit opinion	Corp Risks 2019/20	Corp plan 2020-24	CPDP 19/20 actions at 25/02/20 %	SPDP 19/20 actions at 25/02/20 %	KPI/PIs 2020/21	qtr 2 2019/20 opinion	2018/19 opinion	2017/18 opinion	2016/17 opinion	2015/16 opinion
1	Corporate	Business Continuity & Emergency Planning	y		follow-up to 2019/20 audit - LITTLE	2019/20	little	19-CR02 6		50		little			satisfactory	
2	Corporate	Climate Change & Sustainability	y		Formerly Energy Efficiency last audit 2017/18, to incorporate Climate Change	2017/18	substantial		Y		PI28 R			substantial		
3	Corporate	Commercial Enterprises & Investments	y		new enterprises and investments	2017/18	substantial	19-CR01 8	Y	75				substantial		
4	Corporate	Consultants, Contractors and Agency Staff	n			2019/20	satisfactory	19-CR04 6				satisfactory				
5	Corporate	Counter Fraud - Fraud Risk Assessment	n			2018/19	satisfactory	19-CR07 8					satisfactory			
6	Corporate	Equality & Diversity	y		follow-up to 2019/20 audit - LIMITED	2019/20	limited	19-CR07 8			PI107 R	limited	little			
7	Corporate	EU Exit	p		depends on risk of non deal EU Exit	2019/20	substantial	19-CR10 12				substantial				
8	Corporate	Fleet & Fuel Management	y		Last audited 206/17, changes following JVP	2016/17	substantial	19-CR01 8		75					substantial	little
9	Corporate	Governance & Ethical Culture	n			2017/18	substantial	19-CR07 8	Y					substantial	n/a	n/a
10	Corporate	Health & Safety	p		depends on 2019/20 opinion	2019/20	tbc	19-CR03 4		73		tbc				
11	Corporate	Information Governance	p		depends on 2019/20 opinion	2019/20	tbc	19-CR05 8		75		tbc				adequate
12	Corporate	Partnerships - LSP	n			2016/17	satisfactory		Y	75	PI43 A				satisfactory	
13	Corporate	Uttlesford Norse	y		UDC monitoring of JVP											
14	KF Resources	Benefits (including LCTS)	y		kf yr 1	2017/18	substantial	19-CR01 8	Y	76	KPI04 G; KPI06a G; KPI06b G; KPI17 A			substantial		substantial
15	KF Resources	Budgets	n		kf yr 2	2018/19	satisfactory	19-CR01 8	Y	75			satisfactory			substantial
16	KF Resources	Business Rates	n		kf yr 3	2019/20	substantial	19-CR01 8	Y	86	KPI03 A				substantial	substantial
17	KF Resources	Cash & Bank	n		kf yr 2	2018/19	satisfactory	19-CR01 8	Y	80			satisfactory		satisfactory	limited
18	KF Resources	Contracts & Procurement	n		kf yr 2	2018/19	satisfactory	19-CR01 8	Y	75			satisfactory			substantial
19	KF Resources	Council Tax	y		kf yr 1	2017/18	substantial	19-CR01 8	Y	85	KPI05 G			substantial		substantial
20	KF Resources	Creditors	n		kf yr 2	2018/19	satisfactory	19-CR01 8	Y	75	KPI01 G; PI02 G		satisfactory			substantial
21	KF Resources	Grants & External Funding received	n		kf yr 3	2016/17	substantial	19-CR01 8	Y						substantial	
22	KF Resources	Housing Rents	n		kf yr 2	2018/19	satisfactory	19-CR01 8	Y		KPI16 G		satisfactory			substantial
23	KF Resources	Income, Fees & Charges	n		kf yr 2	2018/19	substantial	19-CR01 8	Y				substantial		substantial	
24	KF Resources	Insurance	n		kf yr 3	2019/20	tbc	19-CR01 8	Y			tbc			substantial	substantial
25	KF Resources	Main Accounting System	y		kf yr 1	2017/18	substantial	19-CR01 8	Y	40				substantial		substantial
26	KF Resources	Recovery	n		kf yr 3	2019/20	satisfactory	19-CR01 8	Y	75	PI03 G	satisfactory			satisfactory	
27	KF Resources	Taxation	y		kf yr 1	2017/18	satisfactory	19-CR01 8	Y					satisfactory		satisfactory
28	KF Resources	Treasury Management	n		kf yr 3	2019/20	substantial	19-CR01 8	Y	75		substantial			substantial	
29	KF Corp Serv	Payroll, Allowances & Expenses	y		kf yr 1 (split -from HR), specifically Officers' Allowances & Expenses	2018/19	substantial	19-CR01 8		90			substantial		limited	limited
30	KF ICT & Facilities	Asset Management	n		kf yr 3	2019/20	substantial					substantial			substantial	
31	Corp Serv	Communication	y		Last audit 2015/1, Corp Plan	2015/16	substantial			65						substantial
32	Corp Serv	Customer Service Centre	p		service changes	2016/17	satisfactory			38	PI44 G				satisfactory	
33	Corp Serv	Day Centres	y		service changes	2017/18	substantial			50	44			substantial		
34	Corp Serv	HR	y		follow-up to 2019/20 audit - LITTLE	2019/20	little	19-CR04 6		60	64	KPI07a & b G	little			
35	Corp Serv	Leisure PFI	n			2019/20	satisfactory			50		satisfactory		limited		
36	Corp Serv	Museum	p		depends on 2019/20 opinion	2019/20	limited		Y	70	49	PI49 A	limited			
37	Corp Serv	Performance Management	p		service changes	2016/17	satisfactory	19-CR08 4		45					satisfactory	
38	Corp Serv	Risk Management	y		Last audit 2015/16, RM review & service changes	2015/16	substantial	19-CR08 4								substantial
39	Corp Serv	Website & Consultation	y		New audit area, Corp Plan				Y	75						
40	Envir Serv	Domestic Waste & Recycling	p		depends on 2019/20 opinion	2019/20	tbc		Y	75	43	KPI14 G; 15b G PI48 G	tbc			
41	Envir Serv	Grounds Maintenance	y		Last audit 2014/15, Corp Plan	2014/15	adequate									
42	Envir Serv	Highway Ranger Services	y		Last audit 2014/15, Corp Plan	2014/15	adequate									
43	Envir Serv	Income Generating Services	n		garden waste, bulky goods	2016/17	adequate			67					adequate	
44	Envir Serv	Street Cleaning	y		Last audit 2014/15, Corp Plan	2014/15	adequate			90	80					
45	Envir Serv	Trade Waste	n			2018/19	satisfactory			75	85		satisfactory	little		adequate
46	Gov & Legal	Democratic Services	n			2018/19	substantial			56	PI21 G		substantial			
47	Gov & Legal	Elections	y		Last audit 2016/17 service changes & elections since	2016/17	adequate			70					adequate	
48	Gov & Legal	Electoral Registration	n		service changes	2016/17	substantial			70	PI12 A				substantial	
49	Gov & Legal	Legal Services	n			2018/19	substantial			44	PI06 G		substantial			
50	Gov & Legal	Local Land Charges	n		service changes	2016/17	satisfactory			66					satisfactory	
51	Gov & Legal	Members' Allowances & Expenses	p		depends on 2019/20 opinion	2019/20	tbc	19-CR01 8				tbc			substantial	
52	H, H & C	Communities - Community Safety	n			2018/19	satisfactory		Y	75	66		satisfactory			
53	H, H & C	Communities - Grants to Voluntary Organisations	n			2017/18	satisfactory							satisfactory		
54	H, H & C	Communities - Health Improvement	n			2017/18	substantial		Y	75	81			substantial		substantial
55	H, H & C	Environmental Health C - Food Safety & Infectious Disease Control	y		Last audit 2013/14, b/f from 2019/20	2013/14	adequate			75	PI41 G					
56	H, H & C	Environmental Health C - Licensing	n		service changes	2019/20	tbc		Y	70		tbc				adequate
57	H, H & C	Environmental Health C - Port Health & Imported Food Controls	n			2019/20	substantial			75		substantial				adequate
58	H, H & C	Environmental Health P - Disabled Facilities Grants	n			2018/19	satisfactory			75			satisfactory			

Strategic Programme 2020-21 March 2020		2020/21 programme (initial)	IA Risk assessment	comment JAN 2020	last audited	last audit opinion	Corp Risks 2019/20	Corp plan 2020-24	CPDP 19/20 actions at 25/02/20 %	SPDP 19/20 actions at 25/02/20 %	KPI/PIs 2020/21	qtr 2 2019/20 opinion	2018/19 opinion	2017/18 opinion	2016/17 opinion	2015/16 opinion
59	H, H & C	Environmental Health P - Empty Homes & Private Sector Housing	n		2018/19	substantial		Y	75	75			substantial			
60	H, H & C	Environmental Health P - Enforcement	n		2019/20	satisfactory		Y		75		satisfactory	limited			
61	H, H & C	Environmental Health P - Other	n		2013/14	satisfactory				82						
62	H, H & C	Housing - Homelessness (incl Rent Deposit Scheme)	p	depends on 2019/20 opinion	2019/20	tbc			75	83	PH16 A	tbc				substantial
63	H, H & C	Housing - Landlord Services	y	New audit area						75						
64	H, H & C	Housing - Allocations	p	depends on 2019/20 opinion	2019/20	tbc				85		tbc				substantial
65	H, H & C	Housing - Supporting People (formerly Services for Older People)	n		2017/18	satisfactory		Y		73				satisfactory		
66	H, H & C	Housing Strategy	n		2017/18	substantial				69				substantial		
67	H, H & C	Property Services - Right to Buy	n		2019/20	substantial				75		tbc				adequate
68	ICT & Facilities	ICT	n		2018/19	substantial	19-CR06 12			77	PI20 G		substantial			substantial
69	ICT & Facilities	Printing & Mailroom	n		2016/17	satisfactory				50					satisfactory	
70	Planning	Building Control Service and Fees	n		2018/19	satisfactory				50			satisfactory			
71	Planning	Car Parking Partnership (NEPP)	n		2017/18	satisfactory								satisfactory		limited
72	Planning	Conservation	p	service changes - corp plan 2020	2017/18	substantial		Y		18				substantial		
73	Planning	Development Management	n		2019/20	satisfactory		Y		64	KPI 11 R; KPI12 A-PI30 G-PI24d G-PI46	satisfactory				
74	Planning	Economic Development - business parks and communities	y	New audit area b/f from 2018/19; Corp Plan				Y	75	50						
75	Planning	Economic Development - Stansted airport & partners for economic op	y	New audit area b/f from 2018/19; Corp Plan				Y	75	50						
76	Planning	Economic Development - town centres & small business support	n		2017/18	substantial		Y		60				substantial		
77	Planning	Enforcement	n		2018/19	satisfactory		Y		100			satisfactory		satisfactory	
78	Planning	Landscape	p	corp plan 2020	2017/18	satisfactory								satisfactory		
79	Planning	Neighbourhood Plans	y	New audit area b/f from 2018/19; Corp Plan				Y		25						
80	Planning	Policy & Local Plan	p	expanded to include policy	2017/18	substantial	19-CR09 8	Y	50	25				substantial		
81	Planning	Section 106 Obligations	p	depends on 2019/20 opinion	2019/20	tbc		Y		50		tbc				substantial
82	Planning	Support & Business	n		2018/19	substantial				83			substantial			
	H, H & C	Property Services - Planned Maintenance		to Uttlesford Norse Ltd - partnership management	2018/19	limited		Y		75			limited			
	H, H & C	Property Services - Repairs Service		to Uttlesford Norse Ltd - partnership management	2019/20	tbc				90		tbc				adequate
	H, H & C	Property Services - Stock & Voids		to Uttlesford Norse Ltd - partnership management	2019/20	tbc		Y	75	50	KPI08a R	tbc			substantial	substantial
	H, H & C	Property Services - Stores		to Uttlesford Norse Ltd - partnership management	2018/19	substantial				40			substantial			adequate
	ICT & Facilities	Facilities Management		to Uttlesford Norse Ltd - partnership management	2016/17	satisfactory				55					satisfactory	

**Committee:** Governance, Audit and Performance Committee

**Date:**

Tuesday, 24 March 2020

**Title:** Governance, Audit and Performance Committee Annual Report

**Report Author:** Richard Auty, Assistant Director - Corporate Services  
rauty@uttlesford.gov.uk

## Summary

1. There is a requirement under the Council's Constitution for the Chairman of the Committee to report annually to Full Council.
2. This report summarises the key work of the Committee in 2018/19.

## Recommendations

3. The Committee approves the report.

## Financial Implications

4. None

## Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.  
  
None

## Impact

- 6.

Communication/Consultation	The report is being considered by Governance, Audit and Performance Committee members ahead of Full Council
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal	None

Implications	
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

### **Situation**

7. There is a requirement under the Council's Constitution for the Chair of the Committee to report annually to Full Council. This occurs at the April Full Council meeting.
8. The information below will form the report the Chair will give to the meeting and summarises the key work of the Committee in the 2019/20 year.

### **External Audit**

9. BDO has been appointed as the Council's auditors following the expiry of the previous external audit contract with EY
10. BDO undertook the audit of the 2018/19 accounts.
11. The Council received an unqualified opinion on the financial statements for the 10<sup>th</sup> consecutive year. BDO found that the Council has proper arrangements in place to secure value for money in its use of resources.
12. The Council published its draft accounts by the 31 May deadline and the final Statement of Accounts was approved at a meeting of the committee on 30 July 2019. This had been adjourned from 25 July due to an outstanding issue that required additional consultation and clarification between the actuary and auditors, relating to the pension fund.
13. The annual audit of the Housing Benefit Subsidy Claim was completed by BDO and presented at the March 2020 committee meeting.
14. For the second year, the error rate was so low that the Council actually gained subsidy payment rather than having to repay the Department for Work and Pensions due to processing and calculation errors. The Council's accuracy rate was just under 99 per cent on a total claim value of £13.7 million.

### **Internal Audit**

15. During the course of the year the Committee has reviewed the work of Internal Audit through quarterly monitoring reports and received the Audit Manager's Annual Report and Opinion, which concluded that risks material to the achievement of the objectives for the audited areas identified by Internal Audit were satisfactorily managed and controlled. The Committee considered and approved the Annual Governance Statement for 2018/19 which is published with the Council's Statement of Accounts.

16. During the 2019/20 year the Committee also received:

- The Internal Audit Strategy and Programme 2019/20
- A report on Internal Audit Counter Fraud and Corruption work and the Annual Fraud Plan
- The 2020 Internal Audit Charter and draft work programme for the forthcoming year

17. Due to the May 2019 election and the number of new members on the committee, a self-assessment exercise was not carried out in 2019/20.

### **Constitutional and Electoral Matters**

18. During 2019/20 the Committee were asked to consider two such matters.

19. The results of a Polling District and Polling Places Review were presented to the Committee for approval. Under the Electoral Registration and Administrations Act 2013, councils have a statutory duty to carry out a review every five years.

20. The purpose of the review is to:

- seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances; and
- so far as is reasonable and practicable, the polling places are accessible to all electors, including those who are disabled

21. Following public consultation in late summer and Autumn 2019, a revised Scheme was approved by the Committee in January 2020.

22. Also in January 2020, the Committee discussed a report containing recommendations from a Planning Committee working group to enhance public participation in Planning Committee meetings.

23. As public participation rights form part of the Council's constitution, changes are reserved for Full Council on recommendation from the Governance, Audit and Performance Committee.

24. The recommendations, which had been trialled at Planning Committee since August, were to:

- extend the maximum period of time allowed for town/parish council representatives to speak
- extend the maximum period of time allowed for public speakers
- remove the limit on the number of public speakers

- introduce a maximum period of time for applicants/agents/developers to speak
  - allow town/parish council representatives to clarify statements of fact made by applicants/agents, and
  - allow a limited number of town/parish council representatives to attend and participate in site visits
25. Committee members added to the working group's recommendations by extending the right to clarify statements of fact made by applicants/agents to include district and county councillors.
26. The Committee's recommendations regarding Planning Committee meetings were adopted by Full Council on 10 March 2020.

### **Performance and Risk**

27. The Committee undertakes detailed quarterly monitoring of the Council's key performance indicators and a further set of supporting indicators. Service performance in 2019/20 has in the main remained strong. Areas of discussion during the year have included planning application processing time, upheld planning appeals and recycling rates.
28. The committee also reviews on a bi-annual basis the Council's Corporate Risk Register. The main issues raised were around the financial and staff resource risk to not having an approved Local Plan and whether risks relating to governance were featured prominently enough in the Register, and whether they were scored appropriately.

### **Procurement**

29. The Committee has continued to receive bi-annual summaries of procurement activity in the Council, including details of contracts let over £50,000 and instances where exceptions to Contract Procedure Rules had been requested.

### **Ombudsman Annual Review**

30. The Local Government and Social Care Ombudsman's annual review letter was presented to the Committee in September 2019. The Committee noted the Ombudsman had received nine complaints about the Council in the year ending 31 March 2019. In four cases the complaints were closed after initial enquiries and three were determined 'not upheld' with the Ombudsman deciding there was no fault against the Council.
31. The remaining two cases were referred back for local resolution as they were considered premature by the Ombudsman.

### **Cyber Security**

32. From April 2019 councils were required by the Local Government Association to report regularly on work undertaken in respect of cyber security.

33. The Governance, Audit and Performance Committee now receives bi-annual updates on the work being done in this area. In addition, the council was required to appoint a lead member to be responsible for oversight of cyber security. Cllr de Vries was appointed by the Committee to this role.
34. During the course of the year, the Council successfully bid for funding of £11,400 to improve cyber security. The money was used for staff training to develop departmental business continuity plans, a cyber exercise for ICT staff and senior managers and for further cyber-specific training and enhanced security software.
35. As a result, the Council's rating on an annual self-assessment undertaken each summer improved from Amber-Amber to Amber-Green.