

**GOVERNANCE, AUDIT AND PERFORMANCE COMMITTEE held in the COMMITTEE ROOM - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on THURSDAY, 17 MAY 2018 at 7.30 pm**

Present: Councillor E Oliver (Chairman)  
Councillors G Barker, J Gordon, N Hargreaves, D Jones, B Light and G Sell

Officers in attendance: D French (Chief Executive), R Auty (Assistant Director - Corporate Services), S Bronson (Audit Manager/GDPR Project Lead Officer), P Evans (Leisure and Performance Manager), B Ferguson (Democratic Services Officer), S Pugh (Assistant Director – Governance and Legal Services), P Snow (Democratic and Electoral Services Manager) and A Webb (Director – Finance and Corporate Services).

Also Present: Councillor S Howell (Cabinet Member for Finance and Administration).

**GAP1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Davey and LeCount.

**GAP2 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 8 February 2018 were signed and approved as a correct record.

**GAP3 DRAFT ANNUAL GOVERNANCE STATEMENT REPORT**

The Audit Manager presented the report on the Draft Annual Governance Statement 2017/18.

In response to a Member question, the Chief Executive explained the non-compliance issue with the Capital Funding Guide (CFG) and said the Council had come to an agreement with Homes England to ensure compliance with the CFG in future.

Councillor Jones asked how many Code of Conduct allegations had been upheld during 2017/18.

The Assistant Director – Governance and Legal Services said of the eight allegations, two were under investigation; three were being assessed and three had been rejected. He said he would circulate further information to Members following the meeting.

RESOLVED to approve the draft Annual Governance Statement 2017/18 as set out in the appendix of the report.

**GAP4 INTERNAL AUDIT PROGRESS REPORT**

The Audit Manager presented the Internal Audit Progress report for the 27 January to 30 April 2018.

The Audit Manager highlighted the implementation of recommendations from the Interim Street Services Audit 2017/18. She said Street Services would also be on the audit programme for 2018/19 and checks would be made to ensure all audit recommendations had been implemented as reported.

**GAP5 GAP SELF-ASSESSMENT REPORT**

The Committee considered and noted the contents of the report.

**GAP6 GDPR COMPLIANCE PROGRESS REPORT**

The GDPR Project Lead Officer updated Members regarding the Council's progress towards compliance with GDPR, which would come into force on 25 May 2018. She said much work had gone into training and ensuring staff were aware of the upcoming regulation, and a number of schemes had been rolled out to staff such as 'Spring Clean your data day' and '12 Steps to ensure GDPR compliance'. An E-learning package would be setup for Members and login details would be circulated in the near future.

In response to a Member question, the GDPR Project Lead Officer said all Data Subject Access Requests (SARs) would require a response within one month and therefore all SARs would be tracked and recorded in a full register.

The Chairman thanked the GDPR Project Lead Officer and her team for their work on this significant new legal requirement.

**GAP7 DRAFT INTERNAL AUDIT WORK PROGRAMME**

The Audit Manager presented the report detailing the proposed draft Internal Audit Programme for 2018/19.

In response to a Member question, the Audit Manager said the scoring of risk assessments were based on the Corporate Plan and Risk Register, as well as the outcomes of historical audits.

RESOLVED to approve the Draft Internal Audit Work Programme for 2018/19.

**GAP8 PROCUREMENT UPDATE**

The Director – Corporate Services presented the bi-annual report on procurement.

In response to a Member question relating to service repairs, the Director – Corporate Services said the Council had cancelled a contract with a service repair provider and a new company had been contracted to continue this work. This had led to the two separate costs relating to service repairs stated in the report.

#### **GAP9 POLLING DISTRICT REVIEW**

The Democratic and Electoral Services Manager introduced the report reviewing polling districts and places within Uttlesford. He presented the draft proposals for Members' consideration and approval.

Members discussed the draft proposals outlined in the report, with particular focus on the polling district of AOB, Saffron Walden, Audley South.

In response to a Member suggestion to visit the Baptist Church in Saffron Walden and assess its suitability as a polling place, the Democratic and Electoral Services Manager said this could be done although a decision would be required tonight to ensure Audley South had a designated polling place as part of a published scheme.

The Chief Executive said the choice between the Council Offices and the Saffron Walden County High School as designated polling places was difficult as there were real challenges facing both locations. She said, on balance, her preference was to designate the Council Offices as a polling place, as the management of the risks would be within the control of the council.

RESOLVED that the proposed changes to the scheme of polling districts and polling places in Uttlesford District to be applied from 29 May 2018 as set out in Appendix A to the report, subject to the designation of the Council Offices as the polling place for Saffron Walden, Audley South.

#### **GAP10 VOTING BY BALLOT**

The Assistant Director – Governance and Legal Services presented the report which asked Members whether they supported amending the Constitution to provide for appointments to be made by way of ballot. The change would apply to the appointments of Chairman and Vice-Chairman at Annual Council meetings.

Members discussed the issue, with particular regard paid to the principle of transparency, as well as the nature of contested appointments.

Councillor Hargreaves said this mechanism should only ever be applied to contested votes regarding internal Council appointments; he said the vote should be non-party political and therefore anonymity should be applied.

Councillor Howell said Members were not delicate and should have the ability to stand up and take responsibility for their actions. He said he was concerned that voting by ballot could be applied to other decisions, leading to a lack of transparency.

Councillor Barker said the Constitution already allowed Members to call for a ballot, although this could be superseded by a call for a recorded vote. He said the ballot should only be applied to contested appointments.

RESOLVED for the Assistant Director – Governance and Legal Services to submit a further report to the Committee proposing changes to the Constitution to provide for contested appointments made by the Council to be decided by way of ballot.

## GAP11 **PROCEDURE FOR MOVING AMENDMENTS AT COUNCIL MEETINGS**

*The Leisure and Performance Manager entered the meeting at 8.50pm.*

The Assistant Director – Governance and Legal Services introduced the report proposing changes to the Council Procedure Rules for moving amendments at Council meetings. The proposed change to the Constitution had been discussed at the previous meeting and the proposal had been modified in light of that debate. He said the guiding principle behind the change was to ensure Council made well-informed decisions.

Councillor Hargreaves said he was happy with the proposed change in its modified form and would be supporting it.

Councillor Barker said he agreed with the change in principle although he would like the wording to be more specific. He said he was not happy with 'exceptional' amendments being tabled at the discretion of the Chairman as this would potentially negate the whole point of the proposed change.

The Assistant Director – Governance and Legal said it was difficult to build flexibility into such a process but the Chairman had existing powers of discretion at their disposal.

Councillor Sell said if an amendment was to be tabled it should be done in good time, in respect for other Members and Officers. He said the Council was a highly visible meeting and it was important for the Council to conduct itself professionally.

Councillor Light said she disagreed with the proposal as it would stifle debate and would prevent amendments which improved motions.

Councillor Jones said debate should not be stifled but he was mindful of wrecking motions and amendments should be well thought through and given in good time.

RESOLVED that the Committee recommends to Council that it adopt the changes to the Council Procedure Rules set out in the appendix to the report.

## GAP12 **KPI AND PI QUARTER 4 2017/18 OUTTURN REPORT**

*The Chief Executive and Democratic and Electoral Services Manager left the meeting at 9.00pm.*

The Leisure and Performance Manager presented the performance indicators report for 2017-18 quarter 4.

The following indicators were highlighted by Members:

### **KPI 08 Average re-let time in days**

The Leisure and Performance Manager said the annual target had not been met primarily due to issues with the new asbestos survey contractor who had experienced difficulty in completing asbestos surveys within ten days. She said this contract was being reviewed by procurement and senior Housing officers.

### **PI21 Percentage of minutes from meetings made available to the public within 10 working days**

The Democratic Services Officer said the target had not been met due to staff absences and the implementation of the new Modern.Gov system.

### **PI22 Museum users: Total visitors to the museum building and on-site events (Max)**

Members were informed that whilst the target had not been met in 2017/18, visitor numbers had increased compared to the previous year. A number of factors had contributed to missing the target, including a lack of teaching space and no Learning Officer in post until mid-September.

## GAP13 **2018/19 PERFORMANCE INDICATOR TARGETS**

The Leisure and Performance Manager presented the report, proposing performance indicator targets for 2018/19, as well as identifying targets for 2019/2020.

A new indicator had been recommended for adoption, **PI 44 – Percentage of enquiries resolved at the first point of contact by the Customer Service Centre**, as this had been identified as a key measure of customer satisfaction.

RESOLVED to approve the Performance Targets for 2018/19 as set out in the Appendix to the report.

The meeting ended at 9.20pm.