

**GOVERNANCE, AUDIT AND PERFORMANCE COMMITTEE held at
COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON
WALDEN, CB11 4ER, on WEDNESDAY, 30 NOVEMBER 2022 at 7.00 pm**

Present: Councillor E Oliver (Chair)
Councillors G Driscoll (Vice-Chair), M Foley, A Khan, B Light,
S Luck and J De Vries

Officers in attendance: P Holt (Chief Executive), C Gibson (Democratic Services Officer), A Knight (Assistant Director - Business and Change Management), J Reynolds (Assistant Director - Legal and Governance), S Russell (Interim Director - Housing, Health and Communities) and A Webb (Director - Finance and Corporate Services).

GAP73 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were given by Councillor Emanuel. Apologies for lateness were received from Councillor Foley.

Non-pecuniary interests were declared by Councillor Luck (Debden PC), Councillor Driscoll (Birchanger PC) and Councillor Light (Saffron Walden TC).

GAP74 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 29 September 2022 were approved as correct.

GAP75 AUDIT AND SIGN OFF 2019/20 ACCOUNTS REVIEW UPDATE

The Assistant Director - Legal and Governance introduced her report. She said that the report had been compiled following a quality review which had been undertaken by Bevan Brittan Solicitors.

In response to various questions, officers said that:

- The 2019/20 accounts could not be signed off yet and that discussions were on-going with the External Auditor in order to re-open the accounts.
- Any significant post 2019/20 balance sheet events would have to be considered that might require additional narratives.
- This would also be dependent on auditor availability.

Members noted the update regarding sign off of the Council's accounts, the recommendations of the review and the amendments to the Constitution that the Monitoring Officer would make under delegated authority.

GAP76 **GENERAL CHANGES TO THE CONSTITUTION**

The Assistant Director - Legal and Governance introduced her report. She said that where new clauses were to be added they had been highlighted in yellow in the report.

In response to various questions, officers said that:

- Rule 3 outlined the position for calling extraordinary meetings. It was the role of the Chief Executive to legally issue the summons for such meetings and not to call the meeting. The two functions legally were required to be separate.
- Paragraph 5.2 of the report detailed arrangements for meetings convened at short notice.
- Paragraph 6.3.7 of the report outlined the specific obligation for Scrutiny Committee to carry out the functions assigned to a Crime and Disorder Scrutiny Committee pursuant to Section 19 of the Police and Justice Act 2006.

Councillor Foley joined the meeting at 7.20 pm.

Members noted the update to the report at paragraph 1.3 and the amendments made by the Monitoring Officer under delegated powers which would be made to the Constitution as outlined in appendix one of the report and the amendments shown in paragraph 13 made by the Monitoring Officer under delegated powers which would be made to the Constitution as outlined in appendix two of the report.

GAP77 **PROCUREMENT STRATEGY TOOLKIT ASSESSMENT**

The Assistant Director – Business and Change Management outlined the report. She referred to Appendix A – Procurement Assessment using National Procurement Strategy Toolkit and said that the green ticks indicated where the Council was considered to be currently and the red ticks were for future ambition. She said that the life of the Strategy was for four years, with three and a half years remaining. There would be an annual review that would be brought back to GAP Committee. Councillor Hargreaves was now the Portfolio Holder with responsibility for Procurement and training for GAP Members had been held in November 2022.

In response to various questions, officers:

- Outlined how environmental matters, social value and the green agenda were covered within the National Procurement Strategy.
- Addressed the questions referring to the need for leadership and innovation together with the culture of procurement and contract management.
- Explained that the Council was starting from a developing base with limited resources.
- Said that all comments would be taken on board.

Councillor Khan thanked the Assistant Director – Business and Change Management for her efforts.

The report was noted.

GAP78 QUARTER 2 2022/23 PERFORMANCE INDICATOR REPORT

The Director – Finance and Corporate Services introduced the report. He said that overall the report had identified a drop in performance of some indicators and that further work was being undertaken with individual services. He outlined the performance information detailed in Paragraphs 13, 14, 15 and 16 and the details contained in Appendices A and B. He also confirmed that the Insurance PI's were currently under review and that an improved reporting mechanism was being taken forward for the Human Resources PI's.

In response to various questions, officers said that:

- In respect of KPI 05 Percentage of Council Tax collected, this was an 'amber' status. However, the Chair pointed out that the current collection rate was higher than the same time last year.
- In respect of KPI 14 Percentage of household waste sent for reuse, recycling and composting, the outturn figure was an estimate and final figures would be available shortly.
- In respect of PI 60 Number of Insurance Claims made for the period, responsibility for Grounds and Buildings monitoring rested with various parties. The Director – Finance and Corporate Services undertook to provide Members outside of the meeting with appropriate schedules of inspection works.
- Areas of most concern currently related to the cost of living issues and consideration was being given to picking up all relevant indicators under this heading.

The report was noted.

GAP79 GRANT POLICY

The Director – Finance and Corporate Services introduced the report. He said that the intention was for this to be an interim document for the next 12 months and that the aim amongst officers was to move towards a more commissioning framework.

The Chief Executive said that Grants Policies had only been for one year at a time and it was his intention to bring back a further Grant Policy paper in summer 2023. He said that he was sharing his thoughts in respect of moving forward largely on a commissioning basis.

In response to various comments and questions, officers:

- Acknowledged the significant uncertainties in respect of future grant funding, particularly due to economic circumstances. Uncertainty would need to be managed.

- The difficulties that smaller groups might experience within a commissioning framework.
- Promised to circulate the criteria being used for £300,000 climate change grants.
- Acknowledged the significant challenges faced by the County Council and said that they would work with them.
- Agreed to produce the policy in Plain Language.

The Chair summarised the position in that the policy was a work in progress and took a show of hands to support the recommendation.

RESOLVED that the Committee recommended the Grant Policy to Cabinet for formal adoption.

GAP80 UPDATE ON COUNCIL HOUSING MAINTENANCE AND REGULATORY COMPLIANCE

The Chair introduced the report and welcomed the Interim Director, Housing, Health and Communities to the meeting.

The Chief Executive outlined the current situation as detailed in Paragraphs 10 – 18 of the report and particularly highlighted arrangements in place to manage reported cases of damp and mould, where the Secretary of State for Levelling Up, Housing and Communities had asked for reports back within three weeks.

In response to various comments and questions, officers:

- Explained the role that would be played by the new contract manager and the fact that he would have access to the full system which would enable every complaint to be looked at.
- Considered that the likelihood of a Regulatory Improvement Notice being served on the Council was probably below 50%. The Council had commissioned Penningtons, experts in this area, to validate all data and the Regulator had requested a copy of the report when available.
- Said that in respect of damp and mould cases, the data was being scrutinised but that this area had not previously been an indicator. The work being undertaken would establish historical cases and timescales.
- Said that a Complaints Management Policy was being developed.
- Asked Members to provide any information in respect of known cases of damp and mould.
- Clarified the role of Environmental Health in cases where private landlords had issues of damp and mould and where enforcement action could be taken or utilising the Housing Options route. Action could even be taken through the Proceeds of Crime Act.
- Said that they were looking to engage with all tenants through a new Communications Strategy to encourage tenants to report damp and mould in their home.
- Said that the issue of stock condition surveys, which should be carried out on a rolling five-year programme, had been taken up with UNSL, who had indicated that they were looking to catch up on the backlog.

Members noted the report.

The meeting closed at 8.30 pm.