

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

Present: Councillor E Oliver (Chair)
Councillors H Asker, J Emanuel, M Foley, A Khan, B Light, S Luck and J De Vries

Officers in attendance: P Holt (Chief Executive), E Brooks (Internal Audit Manager), N Brown (Development Manager), C Gibson (Democratic Services Officer) and J Walsh (Interim Planning Transformation Lead)

Also in Attendance: Councillor S Merifield

GAP41 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were given by Councillor Driscoll, the External Auditor, the Director - Finance and Corporate Services, the Assistant Director - Corporate Services and the Customer Services and Performance Manager.

Councillor Foley sent apologies for lateness.

GAP42 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 31 January 2022 were approved as correct.

GAP43 2022/23 PERFORMANCE INDICATOR TARGETS

The Chief Executive introduced the report that detailed the targets for all Key Performance Indicators (KPIs) and Performance Indicators (PIs) to be monitored and reported during the 2022/23 year.

The Development Manager detailed the four indicators (PI 46, PI 47, PI 70 and PI 71) to be used at a corporate level to monitor Development Management performance in respect of major and non-major applications during the 2022/23 year.

In response to various questions, he explained the reasoning behind the target setting and confirmed that a Speed and Quality report was submitted to Planning Committee on a monthly basis. He said that in future all major applications (ten dwellings and above), including proposed refusals would be taken to Planning Committee and that additional resources at Principal Officer levels were being recruited to deal with major applications. He said that the Improvement Plan would be monitored and that there was a need to demonstrate improvement throughout the year.

The Chief Executive said that in order to be freed from special measures there would be a need for shared endeavour in respect of taking the Local Plan forward and reducing the threshold for designation below 10%. He also said he would explore Councillor Emanuel's request for annual percentage data since 2005 to date. He said that in comparison with other authorities analysed by the percentage of appeals upheld for major applications, the Council was relatively isolated.

Councillor Khan asked which KPIs were statutory and sought an explanation as to whether managers had action plans in place to ensure improvements were made.

The Chief Executive said that since his appointment there had been less progress in respect of Performance Management than intended. He was looking to appoint two new Performance Improvement Officers to enable progress to be made. He would be looking for comparisons and benchmarking with other similar authorities and he envisaged being in a stronger position to report back in six to nine months. He also said that he was happy to prioritise specific PIs if Members requested.

The targets for 2022/23 were approved.

Councillor Foley joined the meeting at 7.35 pm.

GAP44 PLANNING COMMITTEE WORKING GROUP- RECOMMENDATIONS RELATING TO CONSTITUTIONAL CHANGES

The Chair referred Members to the report that brought forward proposed changes to the Constitution as recommended by the Planning Committee Working Group.

Councillor Light raised concerns about the training requirements as specified in Recommendation 2 and said that she considered in Recommendation 4 that if an application was recommended for approval and there were no registered speakers against the application that it was undemocratic for the applicant/ agent to not have the right to make representation.

Other Members spoke in support of Recommendation 2 and said that in respect of Recommendation 4 it would be appropriate for an applicant/ agent to be in attendance and to be available to answer any questions.

All recommendations were agreed:

Recommendation 1. To recommend to Full Council that the changes to the call in protocol as set out in Appendix 1 should be agreed as changes to the constitution.

Recommendation 2. To recommend to Full Council that the changes to Member Training Requirements as set out at Appendix 2 should be agreed as changes to the constitution.

Recommendation 3. To recommend to Full Council that the changes relating to Planning and the Scheme of Delegation as set out in Appendix 3 should be agreed as changes to the constitution.

Recommendation 4. To recommend to Full Council that the changes to the Protocol for Public speaking as set out in Appendix 4 should be agreed as changes to the constitution.

GAP45 INTERNAL AUDIT ANNUAL PLAN 2022/23 AND CHARTER

The Internal Audit Manager outlined her report that detailed the Internal Audit Plan 2022/23 and the Charter. She explained how the Internal Audit plan had been compiled and that it had been drawn up to address the key risks for the Council, taking into account available resources. She said that deferrals from the current year had been carried forward and summarised the key findings from two recently finalised reports on Safeguarding and Planning Investigations. She also said that changes made to the Internal Audit Charter had been minimal.

The Development Manager provided an explanation that supported the Internal Audit report on Planning Investigations in respect of IDOX configuration.

In response to various questions, the Internal Audit Manager confirmed that she had enough resources and that contingency was built into the plan. She said that she could drill down on the links to the Corporate Plan and could be flexible if there were requests to undertake reviews at a different point in the year. She also confirmed that she would be reviewing the corporate risk management approach taken by the Council.

Councillor Light asked whether PBC22_2 Local Plan could be brought forward from Q3. The Chief Executive provided reasons for the item to remain in Q3.

The report was noted.

GAP46 COUNTER FRAUD AND CORRUPTION STRATEGY 2022 AND ACTION PLAN

The Chair introduced the report that detailed the Counter Fraud and Corruption Strategy 2022 and Action Plan.

Councillor Khan welcomed the report and asked what the financial cost of fraud was to the Council.

The Internal Audit Manager said that the Counter Fraud Working Group was looking at the statistics and she would be in a position to provide better statistics to the next GAP meeting in June.

The report was noted and the Counter Fraud and Corruption Strategy was approved for adoption. The corresponding action plan for its delivery during 2022/23 was noted and approved.

GAP47 UTTLESFORD NORSE SERVICES LTD UPDATE

The Chief Executive gave a summary of the report, which provided an update of the current position with regards to Uttlesford Norse Services Ltd following discussion at the previous GAP meeting. He reported that substantial improvements had been delivered in the reporting and monitoring of health and safety requirements and said that the Council was now in a much better position and would be reality checking over the next one and a half quarterly cycles. He said that moving forward a similar approach would be taken in respect of checking repairs and the information being supplied through the Portal.

Members raised questions in respect of:

- The approach being taken by Norse.
- Poor communications/ customer services.
- Capability building on both sides.
- Contract management.
- Management information.

The Chief Executive said that management information would in future be taken to the Housing Board. He said that in respect of operational issues responsibility sat with the Housing Strategy and Operations Manager and her team and that the two new staff being recruited to review Performance Indicators would also be looking at contract management issues. He said that he would be taking responsibility for strategic issues and that the two board members were the Leader and the Assistant Director – Resources.

The Chief Executive confirmed that a Partnership arrangement was in place and that the Service Level Agreement was inadequate and might need to be revisited, although it had been superseded within the compliance assurance requirements as detailed in the report. He said that it was his understanding that a ten year partnership agreement was in place and a review would be undertaken after five years; the agreement was two years in.

The Chief Executive was thanked for personally taking this issue forward.

The report was noted.

The meeting closed at 8.32 pm.