

Public Document Pack

AUDIT AND STANDARDS COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 28 SEPTEMBER 2023 at 7.00 pm

Present: Councillor E Oliver (Chair)
Councillors S Barker, C Fiddy, M Foley, T Loveday, S Luck and R Silcock.

Independent Persons: G Butcher, D Pearl and C Wellingbrook-Doswell.

Officers in attendance: R Auty (Director of Corporate Services), C Edwards (Democratic Services Officer), P Holt (Chief Executive) and A Webb (Strategic Director of Finance, Commercialisation and Corporate Services).

Also in Attendance: D Gibbs and J Gudhuva (KPMG External Auditors).

AS7 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Asker, Driscoll, Gregory and McBirnie.

There were no declarations of interest.

AS8 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 27th June 2023 were approved as an accurate record with one amendment to add in Councillor Dean as an attendee.

AS9 **CODE OF CONDUCT COMPLAINTS SUMMARY**

The Director of Corporate Services gave a brief overview of the complaints summary and made the following comments:-

- The committee would receive regular updates on code of conduct complaints that had been dealt with.
- The new Head of Legal and Monitoring Officer, Nurainatta Katevu, was starting on Monday 2nd October.
- Interviews were taking place on Friday 29 September 2023 to recruit additional independent persons. There was currently a resilience issue when complaints were taken to a panel, as more than three independent persons would be required to ensure that all roles were covered.
- The date on item 2 in the appendix was incorrect; it should be 15/08/22.

Georgina Butcher thanked the Director of Corporate Services for having taken on the role of Monitoring Officer and said that they had enjoyed working with him and that he had got things done.

The Chair said that it was important that Members of the Audit and Standards Committee completed the necessary training as not all Councillors had to date. Georgina Butcher agreed and said that if a complaint went as far as a Panel hearing there would need to be 3 Councillors in attendance and they would all have to be trained.

The report was noted.

AS10 **PREVIOUS AND CURRENT CODE OF CONDUCT COMPARISON**

The Chair said that this report had been requested at the previous meeting. The main differences were set out in paragraph 10.

The Director of Corporate Services said that the decision to adopt the model code of conduct had been taken by Full Council. He said it was the gold standard produced by the Local Government Association and provided more protection for Councillors.

Councillor Barker requested that it was circulated to all Councillors.

The report was noted.

AS11 **INTERNAL AUDIT: STANDARDS COMPLAINTS PROCESSES**

The Director of Corporate Services said that this item had been added in full due to the length of time it had taken in the past to consider complaints. He made the following points:-

- The Internal Audit Manager had been asked to look at processes within the complaints procedures and all recommendations had been acted upon.
- He would speak to the new Head of Legal to make sure that she was aware of the issues.
- The main change in the process would be how any new complaints were triaged so that they were dealt with quickly and further investigation was only carried out on those breaches that may be proven and that represented value for money given the likely outcome.

Catherine Wellingbrook-Doswell said that there needed to be caution when considering cost, it could be easier not to continue with a breach but it was important to get across to Councillors how they should behave in public life. She said it was a balancing act.

Councillor Barker welcomed the new procedures and said those complaints that had no grounds to go forward should be shut down quickly.

David Pearl said that:-

- The Monitoring Officer needed to look at procedures as they did not quite fit with the new code of conduct.
- For consistency the parishes should be in the same scheme.
- Once a complaint was received it should be immediately sent to the Councillor concerned for their comments. This was not currently in the procedures.

The Director of Corporate Services said that he would raise these concerns with the Monitoring Officer when she started with Uttlesford District Council (UDC).

The report was noted.

The Director of Corporate Services and the Independent Panel Members left the meeting at 7.20pm.

AS12 **POLLING DISTRICTS AND PLACES REVIEW 2023/4**

The Electoral Services Manager made the following comments about the report:

- A formal review had to take place by law every 5 years.
- It looked at the suitability of venues to be polling places in terms of many factors including ease of access for all electors.
- There was a boundary review taking place which would change the name of the constituency from Saffron Walden to North West Essex.
- There were also a small number of changes to some boundaries proposed, but these did not affect the electorate, they remained as Uttlesford residents but were represented by a different Member of Parliament.
- The priority venue to find an alternative polling place was for voters who attended at the Homebase car park in a portacabin. The venue was no longer suitable. There was restricted space which, due to the requirements of voter identification and accessibility issues, was not ideal. An alternative polling place would be investigated.

The date on the recommendation should be December 2023 not 2024.

Councillor Barker said that the car parking in Takeley and Dunmow North was not ideal.

The Electoral Services Manager clarified that the grey colouring represented a double polling station and the green was where there were two different polling districts within the same polling station.

The Chair said to send comments to the Electoral Services Manager on any proposals and comments on existing provision.

RESOLVED: that approval be given to the (Acting) Returning Officer to conduct a review in accordance with the timetable for a revised Scheme of Polling district and Polling places for the North West Essex Parliamentary Constituency within Uttlesford district with effect from December 2023.

AS13 INTERIM REVIEW: COMMUNITY GOVERNANCE OF PARISHES

The Chair said that there were four parishes affected by this report, Saffron Walden Town Council, Swards End, Great Chesterford and Little Chesterford. He said they had all been consulted and were in agreement.

In response to a question from Councillor Barker the Electoral Services Manager said that the recommendations would come back to the Audit and Standards Committee in November and should take effect from early spring 2024.

RESOLVED: To approve the terms of reference and timetable for an Interim Community Governance Review for the specific parish areas set out in the report and in Appendix 1.

AS14 LOCAL GOVERNMENT OMBUDSMAN REPORT 2022/23

The Chief Executive said that the annual review report from the Local Government Ombudsman had been received and summarised complaints for all Councils within the year. He said that there were two complaints upheld against UDC and these were set out in paragraph 10.

In both cases the Council had dealt with the complaints and they had been resolved and the lessons learnt used to update policies.

He gave an update on the second complaint regarding the electrical substation. Since Members had approved financial provision in order to resolve the issue, the developer had indicated that they were now minded to make that financial provision themselves. He said that for the residents it would mean the work would be completed either way.

The Chief Executive said that in paragraph 12 there was a comparison table of similar near neighbouring Councils which would be used going forward in other comparisons, as it considered Councils that shared many indicators and characteristics with UDC. The table showed that UDC were second from the bottom of the league table meaning they had fewer complaints than all but one other comparative Council.

In response to a question from Councillor Fiddy the Chief Executive said that he did not think an internal audit of planning conditions was on the current 2 year audit plan, he would check and let her know. He said he would investigate adding it to the audit plan for the future if it was not.

In response to a question from Councillor Barker, the external auditors confirmed that they had carried out due diligence relating to any potential conflicts of interest and said that if anyone knew of any relationships that might need to be raised to please contact them.

The Chief Executive said that going forward it would be prudent to prompt all Members to look at their register of interests when any new contract was entered into.

Meeting ended at 7.50pm.