

**GOVERNANCE, AUDIT AND PERFORMANCE COMMITTEE held at
COMMITTEE ROOM - COUNCIL OFFICES, LONDON ROAD, SAFFRON
WALDEN, ESSEX CB11 4ER, on THURSDAY, 27 SEPTEMBER 2018 at 7.30
pm**

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

Officers in attendance: R Auty (Assistant Director - Corporate Services), A Bochel
(Democratic Services Officer), S Bronson (Audit Manager),
P Bylo (Planning Policy Manager), S Pugh (Assistant Director -
Governance and Legal) and A Webb (Director - Finance and
Corporate Services)

Also present: Councillors S Howell (Cabinet Member for Finance and
Administration) and H Rolfe (Leader of the Council), B Balfour
(Linteum (Uttlesford) Ltd), M Lines (Aspire) and R O'Callaghan
(Pario Ltd)

GAP20 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Light, the Leisure and
Performance Manager and the Assistant Director – Facilities.

Councillor Jones declared a non-pecuniary interest as a member of the Essex
Pension Fund.

GAP21 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 26 July were received and signed by the
Chairman as a correct record.

GAP22 ANNUAL AUDIT LETTER 2017/18

The Committee considered the report which summarised the key findings from
the 2017/18 audit.

The Assistant Director – Corporate Services said the Aspire accounts had now
been fully audited.

GAP23 INTERNAL AUDIT STRATEGY AND WORK PROGRAMME 2018/19

The Committee considered the report which provided information about the
review and updating of the programme.

RESOLVED to approve the revised Internal Audit Strategy and Work Programme 2018/19.

GAP24 INTERNAL AUDIT PROGRESS REPORT 01 MAY - 31 AUGUST 2018

The Committee considered the report which gave account of work undertaken by Internal Audit since the last report to the Committee on 17 May 2018.

GAP25 GENERAL DATA PROTECTION REGULATION (GDPR) COMPLIANCE PROGRESS REPORT - 27 SEPTEMBER 2018

The Committee considered the report which gave details of work being undertaken towards compliance with EU General Data Protection Regulation and the UK's Data Protection Act 2018.

The Internal Audit Manager said that only 3 of the 54 tasks were still outstanding.

In response to questions from Members, the Internal Audit Manager said the Council had only had 4 subject access requests since the implementation of GDPR. A higher amount of data breaches had been reported, but nothing had been serious enough to report to the Information Commissioner's Officer.

Members discussed concerns about confidential data on their personal IT systems. The Assistant Director – Governance and Legal Services said officers were aware of the matter and it was under consideration.

The Internal Audit Manager left the meeting.

GAP26 PFI OVERVIEW

The Committee considered the report which gave an overview of the arrangements with regards to the Leisure PFI Contract that UDC holds.

B. Balfour and R O'Callaghan from Linteum, the Council's PFI partner, attended the meeting to take questions on the operation of the contract.

The Assistant Director – Corporate Services said the Council's contract would expire in 2035, and it would be necessary to begin considering what to do after this date.

In response to a question from Members, the Assistant Director - Corporate Services said from an officer point of view, the contract was working well.

Members asked that officers keep them informed about the PFI contract so that it had a greater amount of visibility. Members expressed their appreciation of the attendance by Messrs Balfour and O'Callaghan on behalf of Linteum.

B Balfour and R O'Callaghan left the meeting.

GAP27 **REPORT OF THE ASPIRE DIRECTORS**

The Chairman moved Item 9 forward in proceedings.

Members considered the report which summarised developments since Aspire was incorporated as a wholly owned subsidiary of Uttlesford District Council.

The Director – Corporate Services said after taking into account the cost of borrowing, the Council in the year ending 31 March 2018 made a surplus of £1,427,000 from its investment in Aspire (CRP) Limited. This was in line with previous forecasts.

M Lines attending the meeting as a Non-Executive Director of Aspire said the Directors and Non-Executive Directors all had a positive relationship. The Director – Corporate Services said the Non-Executive Directors had been helpful in both challenging assumptions and reassuring officers.

M Lines left the meeting.

GAP28 **OMBUDSMAN ANNUAL REVIEW 2017/18**

The Committee considered the report which contained the annual review letter from the Local Government Association, summarising the complaints relating to the Council's services dealt with by the Ombudsman's Office for the year ended 31 March 2018.

In response to a Member question, the Assistant Director – Corporate Services said the letter would also be seen by the Scrutiny Committee.

Members asked for further information to be provided specifying which complaints had had what action taken.

GAP29 **VOTING BY BALLOT AT COUNCIL MEETINGS**

The Committee considered the report which proposed changes to the Constitution to provide for contested appointments made by the Council to be decided by way of ballot.

Councillor Sell said he thought the proposed change would result in a lack of transparency and he would not support it.

RESOLVED to recommend to Council the proposed changes to the Constitution set out in the Appendix to the report.

GAP30 LOCAL PLAN COSTS 2017/18 (TO FOLLOW)

The Committee considered the report which summarised the annual costs of the Local Plan.

The Leader of the Council said local plans were expensive, and it was fundamental to have it done well.

GAP31 DATE OF NEXT MEETING

The Assistant Director – Corporate Services said there would be an extraordinary meeting of the Committee on 9 October at 5.30pm

The meeting closed at 8.45pm.