

**(AGS.3 – AGS.4)
Decisions to be considered by
Full Council on 23 July 2013**

Minutes of the meeting of the AUDIT,
GOVERNANCE AND STANDARDS
COMMITTEE held at 9.30am on Wednesday
26 June 2013 at the Civic Centre, Stone Cross,
Northallerton

Present

Councillor J N Smith (In the Chair)

Councillor	D E Adamson	Councillor	Mrs B S Fortune
	Mrs C S Cookman		M Rigby
	G W Dadd		

Also in Attendance

Councillor M S Robson

(An apology for absence was received from Councillor R W Hudson)

AGS.3 **MATTERS OF URGENCY**

That the report on “Speaking, Filming and Social Media at Council Meetings” be considered as an urgent item of business because in the opinion of the Chairman it was necessary to determine the issues before the next meeting of the Committee.

AGS.4 **SPEAKING, FILMING AND SOCIAL MEDIA AT COUNCIL MEETINGS**

All Wards

The subject of the decision:

The Director of Corporate Services presented a report regarding access to the Council’s meetings which is governed by the Local Government Act and Regulations together with more detailed rules contained in the Council’s Constitution. The report considered recent guidance provided by the Government to the public about their rights to attend and record public meetings; in particular, it dealt with the specific issues of filming meetings and using social media to report on meetings.

It was recommended that the Access to Information Rules within the Council’s Constitution should be amended and that the current practice of speaking at Planning Committee meetings should also be formally included.

Alternative options considered:

None

The reason for the decision:

To amend the Access to Information Rules in the Council’s Constitution.

THE DECISION:

That it be recommended to Council that the Access to Information Rules in the Council's Constitution be amended as set out in the attached annex.

The meeting closed at 11.10am

Chairman of the Committee

Present

Councillor J N Smith (In the Chair)

Councillor D E Adamson
Mrs C S Cookman
G W Dadd

Councillor Mrs B S Fortune
M Rigby

Also in Attendance

Councillor M S Robson

(An apology for absence was received from Councillor R W Hudson)

AGS.5

MINUTES

THE DECISION:

That the minutes of the meetings of the Committee held on 27 March and 14 May 2013 (AGS.30 - AGS.37) and (AGS.1 – AGS.2), previously circulated, be signed as correct records.

AGS.6

REGULATION OF INVESTIGATORY POWERS ACT – REVIEW OF ACTIVITY

All Wards

The subject of the decision:

The Director of Corporate Services presented a report advising the Committee that the Council, like many public authorities, was governed by the Regulation of Investigatory Powers Act 2000 (RIPA). This Act ensured that public authorities complied with their obligations under the Human Rights Act when undertaking investigations which might interfere with the rights of individuals. The Act introduced safeguards on activities such as surveillance undertaken by public bodies. The Committee had now been given responsibility for RIPA matters. This would involve the Committee reviewing the Council's Policy Statement and receiving quarterly reports on any activities which had been authorised under RIPA.

From 1 November 2012 the Council was only able to use RIPA for directed surveillance for potential criminal activity with a possible penalty of at least six months imprisonment. This meant that the Council could no longer use the procedure for low-level offences such as littering, dog control and fly-tipping. For serious offences the Council needed approval from a magistrate before it could use directed surveillance.

Alternative options considered:

None

The reason for the decision:

To comply with the Regulation of Investigatory Powers Act 2000 (RIPA)

THE DECISION:

That it be noted that no RIPA activity was undertaken by the Council during the period 1 April – 30 June 2013.

AGS.7

INDEPENDENT REMUNERATION PANEL – APPOINTMENTS PANEL

All Wards

The subject of the decision:

The Director of Corporate Services advised the Committee that the current members of the Independent Remuneration Panel would reach the end of their tenure in September 2013 and the vacancies were currently being advertised. A new Appointments Panel needed to be formed to short-list and interview candidates if necessary. It was envisaged that the meeting of the Appointments Panel would take place during July 2013.

The Committee was asked to appoint two Conservative Members and Councillor M Rigby (as the only non-Conservative) to the Interview Panel.

Alternative options considered:

None

The reason for the decision:

To appoint the Appointments Panel in accordance with the Council decision on 24 June 2008.

THE DECISION:

That Councillors J N Smith, R W Hudson and M Rigby be appointed to the Appointments Panel.

AGS.8

INTERNAL AUDIT ANNUAL REPORT 2012/13

All Wards

The subject of the decision:

The Director of Resources presented the Internal Audit Annual Report for 2012/13. The report was prepared by Veritau North Yorkshire (VNY) based on work carried during the period April 2012 to March 2013.

Alternative options considered:

None

The reason for the decision:

To take account of the performance of Veritau North Yorkshire (VNY) for 2012/13.

THE DECISION:

That the Internal Audit Annual Report 2012/13 be approved.

AGS.9

ANNUAL REVIEW OF THE AUDIT VISION AND CHARTER

All Wards

The subject of the decision:

The Director of Resources presented a revised Audit Vision and Charter for the Internal Audit Service. The Accounts and Audit Regulations 2011 required all Councils to provide an adequate and effective Internal Audit function. This was further expanded upon in the Public Sector Internal Audit Standards (mandatory for all public sector bodies from 1 April 2013), and the Local Government Application Note issued by CIPFA and the CIIA.

The standards specify that the Vision and Charter should be reviewed regularly and approved by senior management and the Board. Within Hambleton District Council, the Audit, Governance and Standards Committee was regarded as the appropriate Board. The existing Vision and Charter had been reviewed and amended to ensure it complied with the PSIAS.

It was considered that the revised Internal Audit Vision & Charter gave sufficient assurance to the Council that the internal audit service delivered by Veritau would comply with the revised standards.

Alternative options considered:

None

The reasons for the decision:

To approve the revision of the Audit Vision and Charter

THE DECISION:

That the revised Audit Vision and Charter be approved.

AGS.10

ANNUAL REPORT TO CABINET ON AUDIT, GOVERNANCE AND STANDARDS COMMITTEE ACTIVITIES FOR 2012/13

All Wards

The subject of the decision:

The Director of Resources presented a draft report which analysed the work undertaken by the Committee for the year to 31 March 2013. IT was proposed that the report would be presented at Cabinet in July 2013.

Alternative options considered:

None.

The reasons for the decision:

To agree the content of the draft report prior to submission to Cabinet.

THE DECISION:

That the report content as agreed be submitted to Cabinet.

AGS.11

ANNUAL GOVERNANCE STATEMENT 2012 - 13

All Wards

The subject of the decision:

A report of the Director of Resources was considered which presented the findings of a review of the governance framework, incorporating systems of internal control operating within the Council during 2012/13 and to approve the Annual Governance Statement.

Alternative options considered:

None.

The reasons for the decision:

To take account of the review of the system of internal control and approve the Annual Governance Statement.

THE DECISION:

That:-

- (1) the conclusion of the review of the system of internal control be agreed;
- (2) the content of the Annual Governance Statement for publication with the annual Statement of Accounts be approved subject to inclusion of reference to the latest Internal Audit Annual Report and confirmation that Section 151 Officer arrangements meets governance requirements.

AGS.12

ANNUAL REPORT ON COUNTER FRAUD AND ANTI-CORRUPTION 2012/1

All Wards

The subject of the decision:

The Director of Resources presented a report informing Members of the work that had been undertaken on Counter Fraud and Anti-Corruption during 2012/13.

Alternative options considered:

None.

The reasons for the decision:

To receive information on the work undertaken as part of the Committee's work programme.

THE DECISION:

That the Counter Fraud and Anti-Corruption work undertaken during the year to 31 March 2012 be noted.

AGS.13

STATUTORY AUDITOR – QUARTERLY UPDATE

All Wards

The subject of the decision:

The Director of Resources provided an opportunity for the Council's statutory auditor, Deloitte, to give an update to the Committee on its activities to date.

Representatives from Deloitte attended the meeting to provide the update and answer questions.

Alternative options considered:

None.

The reason for the decision:

To respond to a request from the Committee.

THE DECISION:

That the comments of the auditor on his quarterly update be noted.

AGS.14

STATUTORY AUDITOR – PLANNING REPORT ON THE 2013 AUDIT

All Wards

The subject of the decision:

The Director of Resources presented a report from the Council's statutory auditor, Deloitte concerning the work they planned to do as part of their 2013 audit.

Representatives from Deloitte were in attendance to present their report which covered the scope of their planned work, the key audit risks that they would cover, a consideration of fraud at the Council and internal control. The report also identified the audit team and the responsibilities of Deloitte as the Council's appointed statutory auditor.

Alternative options considered:

None

The reason for the decision:

To enable an audit to be undertaken in accordance with International Standards on Auditing (UK and Ireland) as adopted by the UK Auditing Practices Board and as required under Deloitte contract with the Audit Commission.

THE DECISION:

That Deloitte's "Report to the Audit and Governance Committee on the 2013 Audit – Planning Report" be approved.

The meeting closed at 11.10am

Chairman of the Committee

SUGGESTED AMENDMENT TO RULE 3 OF THE ACCESS TO INFORMATION RULES

RIGHTS TO ATTEND MEETINGS

- 3.1 Members of the public may attend all public meetings, subject to the exceptions in these Rules and may address the Planning Committee in accordance with rules attached as Annex 'A'. Members of the public will not be allowed to address other meetings except with the approval of the Chairman of the meeting.
- 3.2 Members of the public will be allowed to film, make sound recordings and/or use social media to record all public meetings provided that:-
- (a) they provide advance notice to the Chairman by the start of the meeting;
 - (b) filming and recording is overt;
 - (c) filming and recording is not undertaken in a manner which the Chairman considers to be disruptive or distracting to the good order and conduct of the meeting.

Planning Committee – Rules for Public Speaking

1. The following categories of people may speak on planning applications at Planning Committee:-

- 1.1 Representatives of Parish/Town Councils
- 1.2 Objectors to the proposal
- 1.3 Applicant/Agent or Supporter

Anyone wishing to speak must register with the Committee Officer before the meeting commences. If more than one person wishes to speak then those people must decide who will represent them. If they cannot agree then only the first person to register will be allowed to speak.

2. Speakers will be allowed to speak for 3 minutes (10 minutes for large scale major applications and those supported by Environmental Impact Assessments) in which case a maximum of 2 speakers may, by agreement, share the 10 minutes).
3. The Chairman may intervene and prevent contributions if they are not relevant to the application.
4. Other details will be determined by the Chief Executive in consultation with the Chairman of the Committee.