

(AGS.17 – AGS.20)
Decisions to be considered by
Full Council on 10 December 2013

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

Present

Councillor J N Smith (In the Chair)

Councillor D E Adamson
Mrs C S Cookman

Councillor Mrs B S Fortune
R W Hudson

(Apologies for absence were received from Councillors G W Dadd and M Rigby)

AGS.17

PROCUREMENT PROCEDURE RULES

All Wards

The subject of the decision:

The Director of Corporate Services submitted a report regarding the Procurement Procedure Rules which are contained within the Council's Constitution and govern how the Council undertakes procurements leading to contracts for the undertaking of works or the supply of goods and services.

Alternative options considered:

None.

The reason for the decision:

To seek approval to the implementation of revised procedures.

THE DECISION:

That it be recommended to Council that the revised Procurement Procedure Rules be adopted.

AGS.18

LOCAL CODE OF CONDUCT FOR MEMBERS AND OFFICERS DEALING WITH PLANNING MATTERS

All Wards

The subject of the decision:

The Director of Corporate Services submitted a report regarding a Local Code of Conduct for Members and Officers dealing with Planning Matters. This Local Planning Code supplemented the Council's Code of Member Conduct and Officer Code of Conduct which were of general application. The Planning Code dealt specifically with Planning related matters and the report suggested amendments to the Local Planning Code.

Alternative options considered:

None

The reason for the decision:

To take account of changes suggested by the Local Government Association.

THE DECISION:

To recommend to Council that the revised Local Code of Conduct annexed to the report be adopted.

AGS.19

APPOINTMENT OF ALDERMEN

All Wards

The Director of Corporate services submitted a report regarding arrangements for the appointment of Honorary Aldermen. It was considered appropriate, in the light of the move in 2015 to 28 Councillors, to reconsider the Council's approach to the appointment of Honorary Aldermen, as there were likely to be a significant number of Councillors retiring at that time and the Council might wish to consider some or all for the position of Honorary Alderman.

The process for recommending the appointment of Aldermen had in the past involved a Working Group of Members and that seemed a reasonable approach to discussing the merits of potential candidates. It was therefore recommended that this process be maintained in the future and that from time to time the Chief Executive, at the request of the Leader, form a Working Group made up of one Member nominated by each political group plus the Leader and Deputy Leader of the Council.

It was normal practice for certain criteria to be used before people became eligible as Honorary Aldermen. The Chairman of the Committee suggested that a candidate would only be considered if they had served at least five consecutive full terms (a minimum of 20 years); or served at least four consecutive full terms (a minimum of 16 years) and served as Chairman of at least two Committees or been a Member of the Cabinet during that period. Those fulfilling the criteria would be considered by the Working Group and the following principles applied; the award would be non-political and recognise the personal contribution made by the Councillor and recognise an outstanding contribution to the work of the Council. The Working Group would then make recommendations to Full Council which would have the final say on the appointment of Aldermen.

Alternative options considered:

None

The reason for the decision:

To take account of the Council's Constitution.

THE DECISION:

To recommend to Council that the criteria and procedure for the appointment of Honorary Alderman as detailed be adopted.

AGS.20

ANNUAL REVIEW OF COMMITTEE TERMS OF REFERENCE

All Wards

The subject of the decision:

The Director of Resources presented the results of a review of the Committee's terms of reference.

Alternative options considered:

None

The reason for the decision:

To fulfil the Audit Commission's good practice requirement to the annual review and incorporate the audit terms of reference suggested by CIPFA.

THE DECISION:

To recommend to Council that the:

- (1) annual review of the Audit, Governance and Standards Committee's terms of reference be noted; and
- (2) terms of reference for the Audit, Governance and Standards Committee as set out in Annex A to the report be approved.

The meeting closed at 10.00am

Chairman of the Committee

Present

Councillor J N Smith (In the Chair)

Councillor D E Adamson
Mrs C S Cookman

Councillor Mrs B S Fortune
R W Hudson

(Apologies for absence were received from Councillors G W Dadd and M Rigby)

AGS.21

MINUTES

THE DECISION:

That the minutes of the meeting of the Committee held on 18 September 2013 (AGS.15 - AGS.16), previously circulated, be signed as a correct record.

AGS.22

RISK MANAGEMENT GUIDE (REVISED)

All Wards

The subject of the decision:

The Director of Corporate Services submitted a report amending the risk management guidance document as part of the annual review of risk management.

Alternative options considered:

None.

The reason for the decision:

To give approval to the implementation of revised procedures.

THE DECISION:

That the revised risk management guidance be approved.

AGS.23

POLITICALLY RESTRICTED POSTS

All Wards

The subject of the decision:

The Director of Corporate Services asked the Committee to approve a list of Politically Restricted Posts. The Committee was asked to review the list because of re-organisation and changes in job titles within the Council.

Alternative options considered:

None.

The reason for the decision:

To comply with the Local Government and Housing Act 1989.

THE DECISION:

That the list of Politically Restricted Posts annexed to the report be approved.

AGS.24

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 July – 30 September 2013.

AGS.25

INTERNAL AUDIT PROGRESS REPORT 2013/14

All Wards

The subject of the decision:

The Director of Resources presented a report informing Members of progress made to date in delivering the Internal Audit Plan for 2013/14.

Veritau was making good progress in the delivery of the agreed internal audit plan and there were no significant delays anticipated. In the period between April and September, inclusive, 3 out of 18 internal audit reviews had been completed to final report stage. A further 2 audits were at draft report stage and 3 other audits were in

progress. This represented 17% of the plan delivered to final report stage. Based on that work, Veritau's initial opinion was that a Substantial Assurance could be given. However, the audit plan was at an early stage of delivery and this opinion might be subject to change in the light of findings emerging from work carried out later in the year.

Alternative options considered:

None.

The reason for the decision:

To take account of the work of Internal Audit to date.

THE DECISION:

That the work undertaken by Internal Audit in the year to date be noted.

AGS.26

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.

The meeting closed at 10.00am

Chairman of the Committee