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HAMBLETON
DISTRICT COUNCIL

AGENDA

Committee Administrator: Louise Hancock (01609 767015)

Monday, 31 March 2014

Dear Councillor,

NOTICE OF MEETING

Meeting **COUNCIL**

Date **Tuesday, 8 April 2014**

Time **2.00 pm**

Venue **Council Chamber, Civic Centre, Stone Cross, Northallerton**

Yours faithfully,

Phillip Morton
Chief Executive

To: All Members of Hambleton District Council

AGENDA

Page No

1. MINUTES
To confirm the minutes of the meeting held on 18 February 2014 (C.25 - C.34), attached.
2. APOLOGIES FOR ABSENCE
3. ANNOUNCEMENTS BY THE CHAIRMAN OR CHIEF EXECUTIVE
4. STATEMENT OF THE LEADER AND REFERRALS FROM CABINET 1 - 6

<u>Date of Meeting</u>	<u>Minute Nos</u>
18 March 2014	CA.90 to CA.95
5. REFERRAL FROM THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE 7 - 8

<u>Date of Meeting</u>	<u>Minute Nos</u>
26 March 2014	AGS.34
6. CABINET PORTFOLIO STATEMENTS
 - a) Verbal Statement by the Deputy Leader and Portfolio Holder for Support Services and Economic Development – Councillor P R Wilkinson;
 - b) Verbal Statement by the Cabinet Portfolio Holder for Leisure and Health - Councillor Mrs S A Shepherd;
 - c) Verbal Statement by the Cabinet Portfolio Holder for Customer Services and Asset Management – Councillor N A Knapton;
 - d) Verbal Statement by the Cabinet Portfolio Holder for Housing, Planning and Waste Management – Councillor P Phillips.
7. QUESTION TIME
None received.
8. NOTICES OF MOTION
None received.
9. MINUTES FOR INFORMATION 9 - 26

STATEMENT BY THE LEADER OF THE COUNCIL

8 April 2014

Hambleton Economic Study

The findings of the recent Economic Study carried out by GVA on behalf of this Council will be presented to all members on 15th April.

This is an opportunity for members to help pave the way and contribute towards shaping the future of not only our markets towns but the District as a whole.

A significant investment will be made to form part of our 10-year strategy. Details will be announced at the seminar next week.

Local Enterprise Partnership application

We have completed the application to the Local Enterprise Partnership which has gone to Government for a decision, due on 14th July. The main priority for the first funding phase (2015/16) is the bridge for the North Northallerton development. Securing this funding is vital in getting the development kick-started. It is also important to press forward with the relief road/bridge at Dalton to allow future expansion for many key businesses on the industrial estate. It is anticipated that this will be in the next round of funding (2016/17). Officers are currently working on this to ensure the best possible case is put forward.

We continue to have close dialogue with our businesses throughout the region and have regular meetings with them. The next Hambleton Strategic Business Forum will be held on 15th May at Bedale Hall. This was a very successful event last year. It is an ideal opportunity to network with the business community and share with them first-hand Hambleton's support over the past year and plans for continued support.

Living Wage

At the March meeting Cabinet agreed to introduce the Hambleton Living Wage, which will help our lower paid employees. This is a good news story – again, another example of this Council looking after our staff.

Restructure

The three Directors are now in place with Heads of Service and the restructure of all departments due to be complete by May this year. The introduction of a Deputy Chief Executive recommended to you today is a key part of the restructure and development of this authority.

I have asked the Chief Executive to present to you all the Directors along with Heads of Service at a future briefing. This is scheduled to take place before May Council. It is envisaged that the majority of Heads of Service posts will be filled by existing employees seeking to further their careers.

Again, another example of recognising the talents and experience of our staff.

Councillor Mark Robson
Leader of the Council

Decisions of the meeting of the CABINET held
at 9.30am on Tuesday 18 March 2014 at the
Civic Centre, Stone Cross, Northallerton

Present

Councillor M S Robson (In the Chair)

Councillor N Knapton
B Phillips

Councillor Mrs S Shepherd
P R Wilkinson

Also in Attendance

Councillor P Bardon
Mrs C S Cookman
J Coulson
Mrs B S Fortune
B Griffiths
Mrs J Griffiths
K G Hardisty
J Noone

Councillor Mrs C Patmore
M J Prest
M Rigby
Mrs I Sanderson
T Swales
A Wake
Mrs J Watson
D Webster

CA.90

**CAPITAL PROGRAMME SCHEME PROPOSAL FORMS 2014/15 AND
ADDITIONAL SCHEMES IN 2013/14**

All Wards

The subject of the decision:

This report sought approval of the Capital Programme Scheme proposal forms 2014/15 and additional schemes in 2013/14.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that this would be an efficient use of Council resources and demonstrated value for money in the implementation of the individual schemes.

THE DECISION:

That Cabinet approves and recommends to Council:-

- (1) the capital programme 2014/15 be increased by £141,000 to £2,126,350;
- (2) the capital programme scheme proposal forms 2014/15 detailed in Annex A1-A22 be approved for implementation in 2014/15;

- (3) the capital programme schemes in 2013/14 detailed at paragraph 1.4 of the report and further detail in Annex B1 be approved for implementation in the current financial year 2013/14; and
- (4) the Prudential and Treasury Indicators attached at Annex C of the report be approved.

CA.91

DISCRETIONARY BUSINESS RATE RELIEF

All Wards

The subject of the decision:

This report submitted for consideration a policy for the determination of the allocation of Discretionary Rate Relief to retail business premises.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that it was prudent for the Council to have a policy for the award of this discount.

THE DECISION:

That Cabinet approves and recommends to Council:-

- (1) the Retail Relief for Business Rates Policy in accordance with the Department for Communities and Local Government guidance with the following exclusions:-
 - (a) any ratepayer that occupies 50 or more premises in England and Wales; and
 - (b) Charity shops in receipt of 80% Mandatory Business Rate Relief.
- (2) approval of Discretionary Business Rate Relief be delegated to Officers in line with this policy.

CA.92

HAMBLETON LOCAL DEVELOPMENT FRAMEWORK

All Wards outside North York Moors National Park

The subject of the decision:

This report set out a timetable for the preparation of the Local Plan/Local Development Framework (LDF) documents.

Alternative options considered:

None.

The reason for the decision:

To comply with the Planning and Compulsory Purchase Act 2004.

THE DECISION:

That Cabinet approves and recommends to Council the Local Development Scheme for publication.

CA.93

LOCAL GOVERNMENT ACT

THE DECISION:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute nos CA.94 and CA.95 on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A of the Act as the Cabinet was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

CA.94

LAND ACQUISITION

Sowerby Wards

The subject of the decision:

This report sought approval to acquire land to create a Sports Village in Sowerby that was linked to the South West Thirsk allocated development site.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the acquisition of the land would help the Council deliver its priority to support the community and voluntary sector to provide high quality sports facilities and activities for people of all ages.

THE DECISION:

That Cabinet agrees and recommends to Council to progress the acquisition of piece of land off Gravel Hole Lane in Sowerby as shown in the plan at Appendix 1 of the report.

CA.95

MANAGEMENT RESTRUCTURE

All Wards

The subject of the decision:

This report considered the introduction of a Deputy Chief Executive and a revised pay policy.

Alternative options considered:

None.

The reason for the decision:

To take account of the current position regarding the implementation of a new management structure.

THE DECISION:

That Cabinet approves and recommends that Council endorses:-

- (1) the revised pay policy at Annex 1;
- (2) the decision of the Leader shown in paragraph 1.4 of the report;
- (3) the introduction of a Deputy Chief Executive designation be agreed with an additional salary payment of £5,000; and
- (4) that political proportionality be suspended and an interview panel is arranged consisting of 3 Conservative Members, 1 Liberal Democrat Member and 1 Independent Member – nominations to be submitted by group leaders to the Chief Executive.

Declaration of Interest

The Chief Executive answered questions relating to the post of Deputy Chief Executive then withdrew from the meeting prior to further discussions and the vote taking place.

The meeting closed at 10.45am

Leader of the Council

(AGS.34)
Decisions to be considered by
Full Council on 8 April 2014

Minutes of the meeting of the AUDIT,
GOVERNANCE AND STANDARDS
COMMITTEE held at 9.30am on Wednesday
26 March 2014 at the Civic Centre, Stone
Cross, Northallerton

Present

Councillor J N Smith (In the Chair)

Councillor D E Adamson
Mrs C S Cookman

Councillor R W Hudson
M Rigby

(Apologies for absence were received from Councillors G W Dadd and Mrs B S Fortune)

AGS.34

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 Code supplemented the Council's Code of Member Conduct which was of general application and the Planning Code dealt specifically with planning related matters. In October 2013 the Committee recommended amendments to the Local Code based on advice in "Probity in Planning", guidance published by the Local Government Association. This report suggested a further amendment to the Local Code.

The Committee amended paragraph 2.11 of the Local Code, which had previously required Members to identify their own planning applications when submitted to the Council. The amendment expanded this to include planning applications made by "relatives" of Members. No definition of "relative" was included because there was no definition in "Probity in Planning". However, in practice, Members wished to know what a "relative" covered and it was therefore recommended that a definitive list of relatives be included in paragraph 2.11.

It was suggested that the following list of close relatives might be sufficient:-

Current spouses or partners of the Member and parents or step-parents, children or step-children, grandparents or grandchildren, siblings or step-siblings of the Member or their current spouse or partner.

Alternative options considered:

None

The reason for the decision:

To provide a definition of “relative” as described in the Local Code.

THE DECISION:

To recommend to Council that paragraph 2.11 of the Local Planning Code be amended by including the definition of relative as detailed above.

The meeting closed at 10.20am

Chairman of the Committee

Agenda Item 9

MINUTES FOR INFORMATION

<u>Committee</u>	<u>Date</u>	<u>Page</u>
Cabinet	18 March 2014	17
Scrutiny Committee 1	11 March 2014	22
Scrutiny Committee 2	13 March 2014	23
Planning	6 March 2014 3 April 2014	25 To follow
Audit, Governance and Standards	26 March 2014	28

AGENDA ITEM NO:

**(CA.96 to CA.103)
Decisions taken under Cabinet
authority to take effect on 31 March 2014)**

Decisions of the meeting of the CABINET held
at 9.30am on Tuesday 18 March 2014 at the
Civic Centre, Stone Cross, Northallerton

Present

Councillor M S Robson (In the Chair)

Councillor N Knapton
B Phillips

Councillor Mrs S Shepherd
P R Wilkinson

Also in Attendance

Councillor P Bardon
Mrs C S Cookman
J Coulson
Mrs B S Fortune
B Griffiths
Mrs J Griffiths
K G Hardisty
J Noone

Councillor Mrs C Patmore
M J Prest
M Rigby
Mrs I Sanderson
T Swales
A Wake
Mrs J Watson
D Webster

CA.96

MINUTES

THE DECISION:

That the decisions of the meeting held on 11 February 2014 (CA.78 – CA.89),
previously circulated, be signed as a correct record.

CA.97

**SCRUTINY COMMITTEE 1 - POLICY REVIEW – INTRODUCTION OF
PAPERLESS WORKING WITHIN THE COUNCIL – FINAL REPORT**

All Wards

The subject of the decision:

This report presented the final report from the Scrutiny Committee 1 on the
introduction of paperless working within the Council for consideration. Cabinet
commended the work undertaken by the Scrutiny Committee and officers involved in
carrying out the review.

Alternative options considered:

None.

The reason for the decision:

To take account of the findings of Scrutiny Committee 1.

THE DECISION:

That the introduction of paperless working within the Council be supported subject to:

- (1) the introduction being undertaken in a staged approach;
- (2) adequate back up being in place in the event of system failure;
- (3) the review of the website ensuring that it can facilitate paperless working for Members;
- (4) adequate training being provided in a phased manner;
- (5) the provision of hard copies being maintained on a request basis;
- (6) consideration being given to the use of a screen to relay the agenda at meetings; and
- (7) Town/Parish Councils being supported to operate as they decide.

CA.98

THE LIVING WAGE

All Wards

The subject of the decision:

This report provided information on the Living Wage Campaign. It advised on issues to be considered in deciding whether to adopt the Living Wage and also set out an alternative initiative that the Council might introduce to help the Council's lowest paid staff.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that this decision would demonstrate the Council's commitment to helping lower paid employees.

THE DECISION:

That, subject to negotiation with the union, the Council introduce a local living wage pay scheme from 1 April 2014 which increases the salaries of low paid employees by reference to the national Living Wage, the details to be determined by the Chief Executive.

CA.99

MANAGEMENT PLAN FOR THE HOWARDIAN HILLS AREA OF OUTSTANDING NATURAL BEAUTY

White Horse and Stillington Wards

The subject of the decision:

This report sought consideration and adoption of the revised Management Plan for the Howardian Hills Area of Outstanding Natural Beauty (AONB).

Alternative options considered:

None.

The reason for the decision:

The existing Management Plan ran from 2009-2014 and a new plan had to be in place and adopted by the three constituent local planning authorities (Hambleton, Ryedale and North Yorkshire) and submitted to Defra by 1 April 2014.

THE DECISION:

That the Management Plan for the Howardian Hills Area of Outstanding Natural Beauty be approved and adopted.

CA.100

PUBLIC OPEN SPACE, SPORT AND RECREATION PLANS

Northallerton, Romanby and Sowerby Wards

The subject of the decision:

This report sought endorsement of the Public Open Space, Sport and Recreation Action Plans for Northallerton, Romanby and Sowerby.

Alternative options considered:

None.

The reason for the decision:

To comply with the Council's legal responsibility to ensure funding is used in a way consistent with the individual S106 Agreements.

THE DECISION:

That the Public Open Space, Sport and Recreation Action Plans attached at Annex B of the report be endorsed.

CA.101

LOCAL GOVERNMENT ACT

THE DECISION:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute nos CA.102 and CA.103 on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A of the Act as the Cabinet was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

CA.102

BEDALE GATEWAY CAR PARK

Bedale Ward

The subject of the decision:

This report sought consideration of further information in relation to the development of Bedale Gateway Car Park.

Alternative options considered:

Cabinet considered deferring the decision for further discussions with the Ward Members.

The reason for the decision:

Concern was raised regarding the proposals and Cabinet was satisfied that deferring the decision for further discussions with the Ward Members would be in the interests of moving the project forward.

THE DECISION:

That consideration of the proposals be deferred to enable further discussions to take place with the Ward Members and a report be submitted to the meeting of Cabinet in April 2014.

CA.103

LAND AT GALTRES CENTRE, EASINGWOLD

Easingwold Ward

The subject of the decision:

This report provided information in relation to the disposal of land at the Galtres Centre, Easingwold.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the disposal of the land at the Galtres Centre, Easingwold was in the interests of the social, economic or environmental wellbeing of the area.

THE DECISION:

That:-

- (1) in principle the land hatched on the attached plan to the report be transferred to the Galtres Centre Management Committee for a peppercorn, subject to the clauses referred to in paragraph 4.2 of the report; and
- (2) Officers begin negotiations with the Galtres Centre Management Committee and report back to Cabinet.

Declaration of Interest

Prior to discussion of the above item, Councillor N Knapton declared a pecuniary interest as he maintains the Galtres Centre IT equipment and left the room.

The meeting closed at 10.45 am

Leader of the Council

Present

Councillor A P Wake (In the Chair)

Councillor	P Bardon	Councillor	G J Key
	K Billings		J Noone
	Mrs C S Cookman		P G Sowray
	S P Dickins		Mrs J Watson
	Mrs J A Griffiths		A W Wood

Also in Attendance

Councillor	N A Knapton	Councillor	M S Robson
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(Apologies for absence were received from Councillors G W Ellis, K G Hardisty, R Kirk and S Watson.)

SC1.21

MINUTES

THE DECISION:

That the minutes of the meeting of the Committee held on 4 February 2014 (SC1.19 - SC1.20), previously circulated, be signed as a correct record.

SC1.22

POLICY REVIEW – MARKETS - FEEDBACK

Northallerton and Thirsk Wards

A report of the Director of Corporate Services was considered which informed Members of action taken to date as a result of the previous Policy Review of Markets undertaken by the Committee.

The Committee was invited to comment on the progress towards the policy review recommendations.

THE DECISION:

That the position be noted.

The meeting closed at 10.00am

Chairman of the Committee

Present

Councillor D M Blades (In the Chair)

Councillor Mrs F M Greenwell
B Griffiths
R W Hudson

Councillor M J Prest
C R Rooke
Mrs I Sanderson

Also in Attendance

Councillor M S Robson

(Apologies for absence were received from Councillors C A Les, M Rigby,
Mrs M Skilbeck and J N Smith)

SC2.19

MINUTES

THE DECISION:

That the minutes of the meeting of the Committee held on 13 February 2014
(SC2.17 - SC2.18), previously circulated, be signed as a correct record.

SC2.20

POLICY REVIEW – AGEING POPULATION – DRAFT FINAL REPORT

All Wards

The Committee considered its draft final report on the Ageing Population and made
some amendments. The Committees conclusions and recommendations would be
presented to Cabinet on 15 April 2014.

THE DECISION:

To recommend to Cabinet that:-

- (1) it be acknowledged that Leisure Services and other activities for the ageing
population provided by the District Council and other partners are very good
but that when opportunities for improvement are presented they be explored;
- (2) the provision of more specialist leisure activities for older people be explored
by the Disability Sports Officer;
- (3) provision of housing options for the ageing population, including provision of
single storey dwellings, be considered by the District Council through the
relevant policies as appropriate;
- (4) Voluntary Organisations be commended for the work they do in providing
services and support for older people and that continued support be given to
Hambleton Strollers and the Hambleton Over 50's Forum;

- (5) it be acknowledged that current partnership working is very effective but that emphasis on the need for greater collaborative working between different agencies be encouraged and that concern be expressed about the reduction in public transport, particularly in isolated areas;
- (6) it be acknowledged that the provision of services for older people by the District Council, together with Partners and voluntary organisations, is considered by others to be best practice but will continue to be reviewed and improved if required; and
- (7) the District Council's Older Persons' Strategy be reviewed and updated; sufficient funding be provided for this if necessary and that the issue of combating vulnerability, isolation and loneliness remain a priority within the Strategy with particular emphasis on the need to support activities across the district.

The meeting closed at 10.10am.

Chairman of the Committee

Present

Councillor D A Webster (In the Chair)

Councillor	D E Adamson	Councillor	Mrs J A Griffiths
	P Bardon		M J Prest
	D M Blades		C R Rooke
	J Coulson		Mrs M Skilbeck
	S P Dickins		A P Wake
	G W Ellis		P G Sowray
	Mrs B S Fortune		A W Wood

Also in Attendance

Councillor	K Billings	Councillor	B Phillips
	A W Hall		M S Robson

(An apology for absence was received from Councillor K G Hardisty).

P.25

MINUTES

THE DECISION:

That the minutes of the meeting of the Committee held on 6 February 2014 (P.23 - P.24), previously circulated, be signed as a correct record.

P.26

PLANNING APPLICATIONS – DECISIONS

The Committee considered reports of the Director of Housing and Planning Services relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the condition as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

The abbreviated conditions and reasons shown in the report were to be set out in full on the notices of decision. It was noted that following consideration by the Committee, and without further reference to the Committee, the Director had delegated authority to add, delete or amend conditions and reasons for refusal.

In considering the report(s) of the Director of Housing and Planning Services regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is in accordance with the development plan the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below. Where the Committee granted planning permission contrary to the recommendation in the report the reasons for doing so and the conditions to be attached are set out below.

THE DECISION:

That the applications be determined in accordance with the recommendation in the report of the Director of Housing and Planning Services, unless shown otherwise:-

- (1) 13/02660/FUL - Construction of a warehouse, mixing hall, dispatch area and associated works as amended by plans received by Hambleton District Council on 12 February 2014 at Cawingredients Limited, Caw House, Tutin Road, Leeming Bar for Cawingredients Limited

PERMISSION GRANTED subject to satisfactory completion of a Planning Obligation to secure a contribution to the construction cost of Aiskew Bedale footway and cycleway.

(Mr R Harrison spoke on behalf of the applicant, in support of the application.)

- (2) 14/00053/FUL – Construction of warehouse and distribution building with associated landscaping at Cawingredients Limited, Caw House, Tutin Road, Leeming Bar Industrial Estate for Cawingredients Ltd.

PERMISSION GRANTED subject to satisfactory completion of a Planning Obligation to secure a contribution to the construction costs of the Aiskew, Bedale and Leeming Bar footway and cycleway.

- (3) 13/02560/REM - Reserved matters application for the construction of 36 dwellings including means of access as amended by plans received by Hambleton District Council on 6 February 2014 at land to the north of The Willows, Willow Bridge Lane, Dalton for Whitfield Homes Limited and West Park Estates Limited.

PERMISSION GRANTED

- (4) 13/02666/FUL - Construction of 16 no. affordable dwellings with associated infrastructure at land west of Apple Tree House, Garbutts Lane, Hutton Rudby for Broadacres Housing Association.

PERMISSION GRANTED subject to satisfactory completion of Planning Obligation requiring the dwelling-houses to remain as affordable housing and a contribution in connection with public open space if the Director of Housing and Planning Services considers it appropriate.

(Ms F Coleman spoke on behalf of the applicant, in support of the application.)

- (5) 12/01200/FUL - Flood alleviation measures involving widening of existing channel to increase storage area adjacent to culvert inlet as per amended plans received by Hambleton District Council on 6 August 2012 and 21 January 2014 at Turker Beck Flood Alleviation Area, Bullamoor Road, Northallerton for The Environment Agency.

PERMISSION GRANTED

(Mr P Holmes spoke on behalf of the applicant, in support of the application.)

(Councillor J Dobson spoke on behalf of Northallerton Town Council objecting to the application.)

- (6) 13/02427/REM - Reserved matters application for the provision of 90 unit extra care facility and associated retail units, public realm works and highways works at land east of Topcliffe Road and south of Gravel Hole Lane, Topcliffe Road, Sowerby for Galliford Try.

PERMISSION GRANTED

(Ms J Clark spoke on behalf of North Yorkshire County Council, in support of the application.)

(Mr D Bentley spoke, objecting to the access arrangements of the application.)

- (7) 14/00083/FUL - Conversion of existing detached garage to form an annexe and single storey extension to side of dwelling at The Old Black Bull, Thormanby for Mr Peter Gibson.

PERMISSION GRANTED

- (8) 13/02269/FUL - Change of use of buildings and land from general storage for building company to a mixed use of workshop/storage for plant hire and general storage for building company, and alterations to existing access, as amended by amended plans received by Hambleton District Council on 10 December 2013 at OS Field 5442, Swainby for Mr J Swales.

PERMISSION GRANTED

The meeting closed at 4.00pm.

Chairman of the Committee

Present

Councillor J N Smith (In the Chair)

Councillor D E Adamson
Mrs C S Cookman

Councillor R W Hudson
M Rigby

(Apologies for absence were received from Councillors G W Dadd and Mrs B S Fortune)

AGS.35

MINUTES

THE DECISION:

That the minutes of the meeting of the Committee held on 29 January 2014 (AGS.27 - AGS.33), previously circulated, be signed as a correct record.

AGS.36

REGULATION OF INVESTIGATORY POWERS ACT – REVIEW OF ACTIVITY AND REVIEW OF POLICY

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.

Since 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 authorisations were made by the Council during the period 1 January – 26 March 2014.

AGS.37

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 North Yorkshire (VNY) completed 9 of 17 internal audit reviews to final report stage in the period between April 2013 and February 2014. A further 2 audits were at draft report stage and 6 other audits were in progress. This represented 53% of the plan delivered to final report stage and 65% including draft reports.

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.38

STATUTORY AUDITOR – ANNUAL GRANT CLAIMS AND RETURNS 2012/13

All Wards

The subject of the decision:

The Director of Resources presented the Statutory Auditor's Annual Grant Claims and Returns for 2012/13.

Alternative options considered:

None.

The reason for the decision:

To take account of the Statutory Auditor's Annual Grant Claims and Returns Report for 2012/13.

THE DECISION:

That the Statutory Auditor's Annual Grant Claims and Returns Report for 2012/13 be received.

AGS.39

INTERNAL AUDIT PLAN 2014/15

All Wards

The subject of the decision:

The Director of Resources submitted the proposed Internal Audit Plan for the financial year 2014/15 as the Audit, Governance and Standards Committee had responsibility for overseeing the work of internal audit, and agreeing the plan of work to be undertaken on its behalf by the Council's Internal Auditors. This was in line with good practice as set out in the CIPFA Code of Practice for Internal Audit in Local Government.

The plan was explicitly aligned to the Council's risk registers, which was commonly accepted as good practice and would enable Members of the Audit, Governance and Standards Committee and the Management Team to be satisfied that internal audit activity was focused on the main risks to the Council. Veritau also used its own risk based assessment in developing the audit plan. The audit plan was a working document and changes were made throughout the year to reflect changes in risk and any issues that arose.

Alternative options considered:

None.

The reason for the decision:

To ensure that audit resources are utilised in an economic, efficient and effective way.

THE DECISION:

That the Internal Audit Plan for 2014/15 be approved and amended to include a review of systems at the depot.

AGS.40

AUDIT, GOVERNANCE AND STANDARDS COMMITTEE – REPORT PROGRAMME 2014/15

All Wards

The subject of the decision:

The Director of Resources presented a report which aimed to identify those reports which the Committee wished to receive on a structured basis.

Alternative options considered:

None.

The reason for the decision:

To identify which reports the Committee wished to receive on a structured basis.

THE DECISION:

That the report programme set out in Annex A of the report be approved subject to the inclusion of a report on key risks each quarter.

AGS.41 **REVIEW OF ANNUAL TREASURY MANAGEMENT STRATEGY 2014/15**

All Wards

The subject of the decision:

The Director of Resources presented for review by the Committee the Council's Treasury Management Strategy for the forthcoming year 2014/15.

Alternative options considered:

None.

The reason for the decision:

To fulfil the Committees scrutiny role in relation to Treasury Management.

THE DECISION:

That the Council's Treasury Management Strategy for 2014/15 be accepted.

AGS.42 **INTERNAL AUDIT CHARTER**

All Wards

The subject of the decision:

The Director of Resources advised that the new Public Sector Internal Audit Standards (PSIAS) required the Council to adopt an audit charter setting out the purpose, authority and responsibility of internal audit. Prior to April 2013, the Council had set its requirements for internal audit in terms of reference. These were in line with the former standards set by CIPFA in the Code of Practice for Internal Audit in Local Government in England and Wales (2006). The new PSIAS required that the Council adopts an internal audit charter instead. The purpose of the charter is broadly similar to the terms of reference although some of the detail required was different. For example, the new standards were more explicit about how the Head of Internal Audit reported to the "Board" (represented by the Audit, Governance and Standards Committee).

There was no direct linkage to any of the Council's Priorities, as internal audit was a support service, which provided internal control and activity assurance to Directors on the operation of their services, and specifically to the Council's S151 Officer on financial systems.

It was considered that the proposed Internal Audit 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 Internal Audit Charter.

THE DECISION:

That the Internal Audit Charter be approved.

The meeting closed at 10.20am

Chairman of the Committee