

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CORPORATE GOVERNANCE COMMITTEE held in Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 29 November 2017.

PRESENT: Councillor M Francis – Chairman.

Councillors Mrs L A Duffy, T Hayward,
P Kadewere, Mrs R E Mathews, D M Tysoe,
J M Palmer and D A Giles.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors E R Butler, Mrs S Conboy, D B Dew and R J West.

IN ATTENDANCE: Councillor J A Gray.

30. MINUTES

The Minutes of the meeting of the Committee held on 13th September 2017 were approved as a correct record and signed by the Chairman.

31. MEMBERS' INTERESTS

Councillor D A Giles declared a non-statutory disclosable interest in Minute No. 33 by virtue of being the Mayor of St Neots.

Councillor D M Tysoe declared a non-statutory disclosable interest in Minute No. 32 by virtue of being the Ward Member for Great and Little Gidding.

32. COMMUNITY GOVERNANCE REVIEW - GREAT & LITTLE GIDDING PARISH COUNCIL

Consideration was given to a report by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book) on the receipt of a request from Great and Little Gidding Parish Council to increase its size from seven to eight parish councillors. Members discussed the likely reasons for the requested change and the potential benefits of revisiting the arrangements for determining the size of town and parish councils. It was suggested that the latter might be carried out after the elections in May 2018. Having noted the timescale for the review including the submission of a further report to the Committee's next meeting in January, it was

RESOLVED

- a) that the request for a Community Governance Review of Great and Little Gidding Parish Council to increase the number of parish councillors from 7 to 8 be approved;
- b) that the review's terms of reference at Appendix to the report now submitted be approved, and

- c) that the Elections and Democratic Services Manager after consultation with Great and Little Gidding Parish Council be authorised to agree a timetable for the review.

33. CODE OF CONDUCT COMPLAINTS - QUARTERLY UPDATE

By means of a report by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book), in accordance with its responsibility for monitoring the operation of the Code of Conduct, the Committee was provided with general information on alleged breaches of the Code. In response to a question by a Member, the Elections and Democratic Services Manager reported that the first hearing under the new Standards regime had taken place that day, that the process had worked well and that, despite only limited sanctions being available, a suitable conclusion had been reached.

Following questions by another Member, the Elections and Democratic Services Manager informed the Committee that all parties were informed of the outcome of complaints, the Monitoring Officer usually tried to reach a local resolution, the Council was under a duty to undertake investigations into complaints, there was no right of appeal against decisions and the Council could not interfere in the running of, nor provide legal advice to, town and parish councils.

Having received confirmation that all newly elected Councillors received training on standards and the Code of Conduct and that this training would be made available to existing Councillors, it was

RESOLVED

that the progress of outstanding complaints and the conclusion of cases resolved since the last meeting be noted.

34. DISPOSAL OF SMALL LAND PARCELS POLICY/ UPDATES TO THE DISPOSALS AND ACQUISITIONS POLICY - CHANGES TO THE CONSTITUTION

Consideration was given to a report by the Head of Resources to which was attached a draft policy for the Disposal of Small Land Parcels. Copies of the report and draft Policy are appended in the Minute Book. The Executive Member for Strategic Resources, Councillor J A Gray, informed the Committee of the background to and purpose of the Policy. The Council currently devoted significant levels of resources to the disposal of small areas of land. The sale process was time consuming and complex. He also questioned the level of return the Council obtained from such sales. It was suggested that the Council should introduce a presumption that any small areas of land should be used as open space. Land would only be sold where there were good strategic reasons to do so.

During discussion on the terms of the Policy, it was established that Members' views would be taken into account when a decision to sell land was taken, that where a sale took place the buyer would meet all the costs involved and that the price would be determined on a case by case basis.

The Chairman read out an e-mail by Councillor S Conboy in which she expressed her views on the sale process. In response, it was stated that Ward Members were informed of proposed sales and it was their duty to engage with interested parties, including town and parish councils, on them. They also were informed that town and parish councils were formally requested to provide intelligence on activities that might affect the ownership of land. Whereupon, it was

RESOLVED

- a) that the Disposal of Small Land Parcels Policy appended to the report now submitted be endorsed, and
- b) that the Council be recommended to make any consequential changes to the Constitution (including the Code of Procurement and Code of Financial Management) to reflect the new Policy along with the respective updates to the Disposals and Acquisitions of Land and Buildings Policy.

35. ANNUAL AUDIT LETTER 2016/17

With the aid of a report by the Finance Manager (a copy of which is appended in the Minute Book) the Committee was acquainted with the contents of the external auditor's Annual Audit Letter. Members' attention was drawn to the key issues highlighted in the Letter and to the lessons learnt arising from the identified Control Themes and Observations. With regard to the latter, a thorough review was to be undertaken. Immediate actions would be to overhaul the creditors and debtors and produce a monthly reconciliation so that working papers were available for the auditor next year. However, owing to the varying nature of the Council's debtors, the accounts would not be closed down each month.

Members emphasised the importance of adopting a strong plan to ensure the lessons learnt were realised and that the issues experienced during the last audit did not reoccur next year, especially given the shorter deadline to close the accounts. To put the lessons learnt into context, it was pointed out that the Council had met the shorter deadline for 2016/17 and that an unqualified audit opinion had been received.

With regard to the introduction of the new Financial Management System, in order not to expose the Council to risk, the decision had been taken to close the 2017/18 accounts on the old system and two additional accountants would be employed during the transfer to the new one.

Having been informed that the variation to the Audit Fees was the result of the Auditor having to devote extra resources to the audit because delays experienced had been attributed to the Council, it was

RESOLVED

that the contents of the report and the 2016/17 Annual Audit

Letter be noted.

36. CORPORATE GOVERNANCE COMMITTEE PROGRESS REPORT

The Committee received and noted a report (a copy of which is appended in the Minute Book) on progress of actions in response to decisions taken at previous meetings. The Elections and Democratic Services Manager confirmed that Members did not have responsibility for the conduct of town and parish councillors. In response to a question by a Member, the Elections and Democratic Services Manager informed the Committee that the identity of Councillors who were the subject of Code of Conduct investigations could not be revealed until the complaint process had been completed and was subject to the public interest test.

Councillor J M Palmer reported that he and Councillor S Conboy had met with the Head of Development to discuss the way the Development section dealt with customer feedback. It was recognised that improvements were required and this was being worked on. Members were reminded that they would be able to follow up on this matter when they received a report on the outcome of the review of the complaints process and when the annual report on complaints was presented.

37. ADDITIONAL MEETING

Members noted that an additional meeting of the Committee would be held on 17th January 2018.

Chairman