

CIVIC AFFAIRS30 June 2010
6.00 - 8.50 pm

Present: Councillors Boyce (Chair), Rosenstiel (Vice-Chair), Benstead, Herbert, Pitt and Ward

Officers Present

Chief Executive, Antoinette Jackson
Director of Finance, David Horspool
Head of Internal Audit, Sarita Haggart
Head of Strategy and Partnerships, Trevor Woollams
Head of Accounting Services, Julia Minns
Democratic Services Manager, Gary Clift
Committee Manager, Martin Whelan

Representative of the Independent Remuneration Panel, Tobias Paul

District Auditor
Representative of the Audit Commission, Keith Matthews

FOR THE INFORMATION OF THE COUNCIL

10/29/civ Apologies for absence

There were no apologies for absence.

10/30/civ Declarations of Interest

There were no declarations of interest.

10/31/civ Public Questions

There were no public questions.

10/32/civ Approval of the minutes of the previous meeting

The minutes of the meeting held on 17th May 2010 were agreed as a true and accurate of the meeting.

10/33/civ Review of the Effectiveness of the Systems of Internal Audit

The committee received a report from the Director of Finance regarding the effectiveness of the system of Internal Audit.

The Director of Finance recommended based on review and external assurance work that the system of Internal Audit was appropriate and effective.

Resolved (Unanimously) to note the opinion of the Director of Finance that indicates that an appropriate and effective system of Internal Audit was in place within the Council during the 2009/10 financial year.

10/34/civ Head of Internal Audit Opinion

The committee received a report from the Head of Internal Audit, regarding their Annual Opinion for 2009/10.

The committee made the comments regarding the report;

- All members of the committee welcomed the work and value of the Internal Audit service.
- The value of the “limited” or “no” assurance reports. It was suggested that the Chair and Opposition Spokes of the relevant committee/s should receive these as a matter of course. The suggestion was welcomed. It was noted that Internal Audit were in the process of developing an intranet area for members to access Internal Audit related information.
- The importance of engaging with Executive Councillors and working with them to promote the completion of audit actions.
- It was questioned whether the mercury abatement project had been audited, or whether there was any plan to do? Officers confirmed that the project had been through Asset Management Group and other relevant internal processes, but at this stage there were no definite plans for audit activity related to the project.
- Clarification was sought on what work had been undertaken to prevent issues falling between “the gaps” in respect of the corporate restructure.

Officers outlined various processes, which were being used to prevent these types of issues arising.

Resolved (Unanimously) to note

- (i) The opinion of the Head of Internal Audit that there is an acceptable level of internal control within the majority of the Council's systems and procedures and the risk management framework, with 65% of audits providing an assurance rating of "significant assurance" or "full assurance". However, some weaknesses were identified in a number of audits conducted during the year.
- (ii) The opinion of the Head of Internal Audit related solely to the work undertaken by the Internal Audit team in the financial year 2009/10.

The committee resolved to thank the Internal Audit team for their work.

10/35/civ Assurance Framework and Draft Annual Governance Statement 2009/10

The committee received a report from the Head of Internal Audit and the Principal Auditor regarding the Assurance Framework and Draft Annual Governance Statement.

Resolved (Unanimously) to

- (i) Note the arrangements for compiling, reporting on and signing the Annual Governance Statement.
- (ii) Critically review the draft Annual Government Statement and incorporated action plan, having regard to the Head of Internal Audit Annual Opinion.

10/36/civ 2010/11 Audit fee letter

The District Auditor and the Audit Manager introduced the letter. As a result of the outcome of the General Election, the District Auditor outlined the following changes;

- The assessment and inspection elements of the fee have been withdrawn, following the abolition of the Comprehensive Area

Assessment. It was noted that the letter would be issued later in the year.

- The committee were advised that the majority of the work had been completed for the Use of Resources assessment, but that the score element would not be published.
- It was noted that a refund of £8800 had been transferred to the Council to mitigate for the costs of the transfer to IFRS standards.

The committee made the following comments.

- Clarification was sought on the timeline for the re-issue of the letter. The committee was informed that it was unlikely to be ready for the September meeting.
- Due to the changes in the process, the committee asked whether any refund was likely for 2010/11. The committee were advised that position was not clear but that the majority of the work had been completed.

Resolved (Unanimously) to note the Audit Fee letter for 2010/11

10/37/civ 2009/10 Opinion Audit Plan

The committee received a report from the District Auditor regarding the 2009/10 Opinion Audit Plan.

The committee noted that the fee charged was 20% below the scale fee for an authority of the size of Cambridge.

Clarification was sought on whether it would be possible for members of the public to make comparative judgements between different councils. The District Auditor explained that the Use of Resources narrative would be published without a score, and that there contained to be a statutory requirement to report on whether the council met the “Value for Money” test. It was noted that a “pass” on the value for money would be broadly equivalent to a level 2 on use of resources, but that no further comparators would be available.

Resolved (Unanimously) to note the 2009/10 Opinion Audit Plan.

10/38/civ Code of Corporate Governance 2010

The committee received a report from the Head of Legal Services, along with a proposed revised version of the Code of Corporate Governance.

The Head of Legal Services explained that the report and the draft code had been presented to the Standards Committee, which had no comments that it wished to pass to this Committee.

Concern was expressed about the continued lack of clarity on partnership governance. The Head of Strategy and Partnerships explained that in light of the developments since the general election, a review of partnership arrangements (including governance) was required.

Recommended (Unanimously) that the Council adopts the revised Code of Corporate Governance for 2010 as set out in the Agenda.

10/39/civ Statement of Accounts 2009-10

The Head of Accountancy Services introduced the report and tabled a list of minor changes to the report.

In response to feedback from the committee it was agreed to clarify the figures on page 33 of the report, so that it was clear which figure was being changed.

The committee made the following comments on the Statement of Accounts 2009-10;

- Further details were requested on the pension figures. The Head of Accountancy Services advised that the County Council administer the pension fund on behalf of the City Council. It was noted that a number of potential changes were being considered to the scheme, but that some would require legislative changes.
- Clarification was sought on the exact extent of the debts arising from the Folk Festival. The Director of Finance explained that dependent on the context both figures were equally valid, but that £618,000 was included in the statement of accounts.
- Clarification was requested on when the house building figures for 2009/2010 would be included. The Head of Accountancy Services confirmed that the final figure would be incorporated into the final version.

Resolved (Unanimously) to

- (i) Approve the draft statement of accounts for the year ending 31 March 2010
- (ii) Authorise Councillor RA Boyce, as Chair of the Committee, to sign the statement of accounts for the financial year ending 31 March 2010 on behalf of the Council.

10/40/civ Annual Complaints Report 2010

The Head of Strategy and Partnerships introduced the Annual Complaints report.

The committee noted the increased number of complaints being submitted by email, and the growing number of Freedom of Information requests.

Resolved (Unanimously) to approve the Annual Complaints Report 2009-10 for publication on the Council's website.

10/41/civ Councillors Allowances

In accordance with section 100b of the Local Government Act 1972 the Chair of the committee ruled that this item be considered despite not being available for public inspection for at least 5 working days before the meeting.

The Democratic Services Manager introduced Mr Tobias Paul a member of the Independent Remuneration Panel. Mr Paul summarised the Panel's findings as set out in the report. He highlighted:

- No changes to the current multipliers or Special Responsibility Allowances, but these would be reviewed as part of a holistic review of allowances.
- A recommendation that the single Conservative councillor should receive a Special Responsibility Allowance
- A recommendation that allowances that the leaders of the opposition groups should receive a basic allowance, based on 0.7 basic allowance

(Labour – circa £1950) and 0.3 basic allowance (Green – circa £850) as in 2008/09 when there were two Minority Party Groups.

Cllr Pitt questioned why the item was so urgent and couldn't wait until November. The Democratic Services Manager explained that no new allowances identified through either a result of the electoral changes and changes agreed at the Annual Meeting of the Council could be paid until the Council agreed resolved to adopt the scheme, any changes couldn't be implemented. The Chair also confirmed that the committee had specifically requested the item to be on the agenda for this meeting.

The Committee questioned whether the panel had considered incorporating the Area Committee SRA paid to all Councillors into the Basic Allowance. Mr Paul explained to the committee that the panel had provisionally recommended no change pending an overall review of the scheme.

The committee discussed the number of Labour minority spokes SRAs on Scrutiny Committees. Cllr Herbert agreed that this should be reduced by one to reflect the change in Labour Group seats on the Community Services Scrutiny Committee for 2010/11.

The committee noted that system of allowances would need to be reviewed again if the governance arrangements for the authority were changed.

Cllr Herbert requested a separate vote on the proposal to permit an SRA for the single Conservative Party Councillor, which had been recommended by the Panel and which Labour Group supported. The Chair stated that this recommendation was not supported by the Majority Group and had not been when the Panel raised it previously. This was lost by 2 votes to 4.

Council is recommended (unanimously) -

To agree the allowances scheme 2010/11 in Appendix ? with any new allowances identified in the Scheme arising from the elections and appointments at the Annual Council Meeting being backdated to the beginning of the Municipal year.

10/42/civ Constitutional Changes

The committee received a report from the Head of Legal Services regarding proposed constitutional changes. [This is attached as an Appendix to the minute and has been amended to reflect the changes agreed by the Committee].

The relevant section of the covering report is referenced in the style B1 – Appendix – 13f (i).

Motions

The Head of Legal Services outlined the principle to change the presumption for the consideration of motions.

The committee discussed the practicalities of the proposed new approach, including concerns about potential abuse of the right of referral. It was agreed that the approach was more transparent.

The committee agreed to insert “There is an overriding need for further information” at the beginning of section 13.7 f (i). B7 – Appendix B - 13.7 f (i)

It was further agreed to adopt a convention to request that substantial amendments would be submitted on the day of the meeting. The committee acknowledged that whilst normally the introduction of new amendments would be discouraged, on occasions it would be necessary. It was agreed that the following sentence would be removed from section 23.2 “Members are asked not to introduce new of tangential material by way of amendments that have not been published in this way”. B8 – Appendix B – 23.2

Management of large/long reports

Officers agreed to review the management of large report and explore options, other than printing a copy for every member of the committee with the recent Environment Scrutiny Committee agendas and Planning Policy Documents given as examples.

Annual Statement Process

The proposal to review the annual statement process was welcomed by the committee.

Written Questions

The rationale for limiting the number of written questions to two per Councillor was questioned. Following discussion it was agreed that a limit be set and that composite questions would still be permitted.

Petitions

The report had not explained that the change in timescales for the submission of petitions would only refer to Council meetings due to the logistics of checking 500+ signatures.

Oral Questions

The committee noted that in future the initial question and response would be included in the Council minutes, but not supplementary questions and answers.

It was agreed to remove “(but are not obliged to)” from paragraph 3.8. B10 – Appendix B – 3.8

Media

The committee welcomed the protocol. It was agreed that all references to chairperson would be revised to chair. The committee was advised that copyright provisions of third party presentations/submissions would be discussed and resolved under the protocol at the time a request to film was made.

The committee amended the protocol to exclude councillors from “At all times the wishes of those who chose not to be involved will take precedence” as they should be expected to be in the spotlight.

Honorary Councillors

Following discussion the Democratic Services Manager agreed to review the criteria with Chair and Spokes.

Local Government and Public Involvement in Health 2007 – Implications

In agreeing that the consultation should be undertaken to enable the legislative timescale to be met, it was noted that the Government was likely to abandon this requirement.

Council is recommended (Unanimously)

- (i) To agree that the Constitution is amended in accordance with the recommendations in Part 4 (B4-12) of the report appended to this adoption minute.
- (ii) To agree that responsibility for the exercise of powers delegated to officers are to be reallocated in accordance with responsibility for services under the new structure, and that the Chief Executive is authorised to decide on responsibility for their exercise in cases of doubt.
- (iii) To agree that the Council consults on the proposed transition to the new Leader and Cabinet model of Executive decision making set out as proposed in Part 5 (B12-13) of the report appended to this adoption minute.

10/43/civ Scrutiny within the County Local Area Agreement

The Democratic Services Manager introduced the report regarding the proposed protocol for scrutiny of other public sector bodies.

The committee resolved to note the protocol.

The meeting ended at 8.50 pm

CHAIR