

Overview and Scrutiny Committee

Held at Members' Lounge, Ryedale House, Malton
on Thursday 16 December 2010

Present

Councillors Mrs Shields (Chairman), Andrews, Clark, Maud, Raper and Mrs Wilford

In Attendance

Audrey Adnitt, Paul Cresswell, Clare Slater, Gary Housden and James Ingham

Minutes

46 **Apologies for absence**

Apologies were received from Councillors Cottam, Cussons and Windress.

47 **Minutes of the meeting held on the 7 October 2010**

The minutes of the meeting of the Overview & Scrutiny Committee held on the 16 December 2010 were presented.

Resolved

That the minutes of the meeting of the Overview & Scrutiny Committee held on the 7 October 2010 be approved and signed by the Chairman as a correct record.

48 **Urgent Business**

The Chairman reported that there were no items of urgent business to be dealt with at the meeting as a matter of urgency by virtue of Section 100(B)(4)(b).

49 **Declarations of Interest**

Councillor Mrs Wilford declared a personal interest in item 13 as the District Council Representative on the Malton Museum Board.

Councillor Clark declared a personal interest in item 13 as he had a private water supply.

50 **Annual Audit Letter on the 2009/10 Audit**

The Chair welcomed Alistair Lince representing Deloitte to the meeting. Mr Lince presented a report (previously circulated) in connection with the Council's Annual Audit Inspection Letter.

The report summarised the key matters arising from the work that Deloitte had carried out in respect of the year ended 31 March 2010.

The report was set out under the following headings:

- Key messages
- Purpose, responsibilities and scope
- The audit of the accounts
- Value for Money
- Other Matters
- Closing remarks

It was noted that there were no material weaknesses and that the Council needed to:

- Continue to focus on meeting the financial reporting timetable, whilst striving to further improve quality standards of all deliverables and ensuring compliance with the applicable guidance. From 2010/11, local authorities' Statements of accounts will be prepared under an International Financial Reporting Standards ("IFRS") based Code of Practice on Local Authority Accounting. We have assessed the Authority's readiness for IFRS conversion as part of the Audit Commission surveys in November 2009 and July 2010. In each case assessed that the Authority was broadly on track. The Authority will need to continue to focus on IFRS conversion to ensure required timescales are met; and
- Implement the actions noted in the management response of each control observation raised in our report to those charged with governance.

A discussion followed and Councillor Andrews requested some further information regarding the number of audit days undertaken, and the average hourly rate.

Resolved

That the report be received.

51 Service Risk Register for Planning Services

The Head of Planning submitted a report (previously circulated) in order to present the Service Risk Register for those services under the Head of Planning.

Service Risk Registers (SRR) were originally established from work undertaken by the Audit Partnership in conjunction with Service Unit

Managers, however, since the management restructure they were now the responsibility of the Heads of Service.

Annex A outlined the SRR for the Head of Planning, and was presented to the Committee in order to highlight changes to risks and work undertaken to mitigate those risks. Work was ongoing to complete the Local Development Framework (LDF), but it was possible that the newly published Localism Bill could have some impact on the LDF.

Resolved

That the report be received.

52 Treasury Management Mid Year Review 2010/11

The Corporate Director (s151) submitted a report (previously circulated) in order to provide an update on treasury management activities for the financial year 2010/11 in accordance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (the Code).

The comprehensive Mid Term report covered the following areas:

- An economic update for the first seven months of 2010/11;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- A review of the Council's investment portfolio for 2010/11;
- A review of compliance with Treasury and Prudential Limits for 2010/11.

A discussion followed, and the Corporate Director advised that as interest rates remained very low, it was very difficult to achieve a good return.

Resolved

- a. That the report be received.
- b. That the mid year performance of the in-house and externally managed funds to date be noted.

53 Internal Audit Report - Quarter 2

The Corporate Director (s151) submitted a report (previously circulated) in order to present the Interim Internal Audit Report for the period ending 30 November 2010.

The Accounts and Audit Regulations required all Councils to annually review their systems of internal control and to provide an adequate and effective Internal Audit Function, and the Interim Internal Audit Report from the North Yorkshire Audit Partnership was attached at Annex A.

The report highlighted issues that the audits had identified and provided a summary of them. It also outlined any issues emerging from the audits of the principal financial systems of the Council, together with any significant comments from other audits completed in the year to date.

The Audit Partnership provided the Council in its report with a clear statement of assurance reflecting its opinion of the Internal Control Framework. This was based upon the audits completed, complimented by its existing knowledge and understanding of the control framework.

Members discussed the report in detail, and further information was provided in relation to the “below standard” audits.

The areas which had generated concern were as follows:

- Controls surrounding Internal CCTV. The audit had been completed in draft and discussions continued to be held with the officers involved. A further report would be brought to the next meeting.
- The lack of a dedicated Officer resulted in the Health & Safety function lapsing to a degree and there was limited contingency in place whilst the position was vacant. The Council had now appointed a part time Health & Safety officer which now provided that function.
- The Taxi Licensing audit reported a number of significant control weaknesses. These had been recognised by management and swiftly addressed which had resulted in the overall audit opinion being lifted.

Resolved

That the report be noted.

54

Customer Complaints received July to September 2010

The Customer Services and Benefits manager submitted a report (previously circulated) in order to inform Members of the number and type of complaints received under the Council’s complaint procedure for the period July to September 2010.

The report included complaints monitored under individual service complaints systems and a summary of customer feedback to Community Leisure Ltd (CLL) for the period July – September 2010 together with action taken appropriate.

Resolved

That the report be noted.

55 Police Reform and Social Responsibility Bill Summary

The Head of Transformation submitted a briefing paper (previously circulated) which summarised the Police Reform and Social Responsibility Bill.

The Bill laid out the Government's plans for reforming the policing and licensing systems, establishing directly elected Police and Crime Commissioners to replace Police Authorities and creating new scrutiny committees made up predominantly of Councillors. It also looked to overhaul the Licensing Act 2003 with the introduction of new powers for licensing authorities and amendments to Temporary Event Notices.

Resolved

That the report be received.

56 Risk Management Strategy Annual Review

The Head of Transformation submitted a report (previously circulated) in order to present the revised Risk Management Strategy to Members for consideration.

The Risk Management Strategy was last approved by Members in December 2009, and the revised Risk Management Strategy was attached at Annex A.

The primary objectives of the strategy were to:-

- Further develop risk management and raise its profile across the Council.
- Integrate risk management further into the organisational culture of service planning and managing performance.
- Further embed risk management through the ownership and management of risk as part of all decision making processes, both at officer and member level.
- Manage risk in accordance with best practice.
- Create effective processes that would allow the Council to produce risk management assurance statements annually.

The revisions to the strategy included:

- a. An action plan for delivering effective Risk management
- b. An annual plan for Risk reporting to Overview & Scrutiny Committee.

The Head of Transformation and her team were to have a preliminary meeting with Councillor Clark (Risk Champion) in the near future regarding the role of the Member Champion.

Resolved

That the Risk Management Strategy for 2010-13 be approved.

57

Scrutiny Reviews Progress Report - Healthy Weights & Post Offices

The Head of Transformation submitted a report (previously circulated) in order update Members on the progress achieved to date with the scrutiny reviews currently being undertaken.

The Committee had commissioned two scrutiny reviews and the terms of reference had previously been agreed by this committee for each of these (attached at annex A).

Post Office Review

Following discussion at the task group for the Post Office review about the changing national policy context for the post office service, the task group requested that the committee revise the aims of the review as detailed below.

A recent publication issued by the department of for Business Innovation and Skills 'Securing the Post Office Network in the Digital Age' states that 'There will be no programme of post office closures under this Government'.

The suggested amendment was to find practical ways by which Ryedale District Council and its partners can:

- Improve the availability of services in local communities.
- Provide an evidence base from which to influence changes or reductions in levels of service.
- To consider the options for delivering these services in the future

Actions that were identified at the meeting included:

- A meeting with a local sub-postmaster
- Meeting with a provider of the mobile services in an area of Ryedale
- Meeting with a representative of the Post Office network
- Finding out more about the potential for the proposed model of the 'Post Office Local'.
- Discuss links to future changes to one stop shops and the access to services programme with NYCC and partners
- Study use of payment cards
- Design an approach to meeting with customers, following meeting with sub-postmaster

Healthy Weights

The Healthy Weight Task Group were given a detailed and technical presentation by Greg McGrath, Health Improvement Manager for NHS North Yorkshire and York.

Key points arising from the presentation included:

- Make sure you fine tune the scope of the review or it would become far too complicated.
- Choose either adults or children
- Choose one or at most two areas from the life course approach
- Keep in mind the possible transition of Public Health into Local Authority structures.
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- Keep in mind the wider determinants of health; Education, Housing, Occupation and Income.
- Be aware that PCT's will be abolished by March 2013
- Practice Based Consortiums will hold funding
- Changes in current provision, School Sports Partnership, Healthy School Status and Sport England
- Changes in performance monitoring
- Interpreting national guidance suggests Health & Well being is not a priority but sits on the periphery of school education.

The task group would now take some time to consider the issue in Ryedale as described in the presentation and would then confirm the focus and scope of the review at their next meeting in January.

Resolved

That the report be received, and as recommended the terms of reference for the post office review be amended.

58 Decisions from other Committees

Decision lists from the following Committees were submitted:

(Re-arranged) Commissioning Board held on 8 December 2010

Policy & Resources held on 9 December 2010

Councillor Andrews referred to the Decision List relating to the Policy & Resources Committee, and The Development Plan and the Decision Making Process. This item had been a part A item on the agenda, and therefore would not be referred to Council for approval. Councillor Andrews was

particularly concerned about the Five Year Land Supply, and was of the opinion that the matter should be referred to Council.

The Corporate Director (s151) advised that items were only referred to Council if there was a change in policy or budget. In this case the decision retained the existing policy. Councillor Andrews was advised that he could consider a "call in" of the decision subject to satisfactory completion of the call in procedure, or alternatively write to the Chief Executive and request the item be added to the agenda for the next meeting of the Overview and Scrutiny Committee. Councillors discussed the point in detail and were of the opinion that the query had brought up some points, which would require further clarification. The Corporate Director (s151) agreed to research the constitutional issue and provide further information to Members of the Committee.

Resolved

That the decision lists of the Commissioning Board held on the 8 December 2010 and the Policy & Resources Committee held on the 9 December 2010 be received.

59 Any other business that the Chairman decides is urgent.

There were no items of urgent business.