



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 22ND JUNE 2011, AT 4.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

SUPPLEMENTARY DOCUMENTATION

The attached papers were specified as "to follow" on the Agenda previously distributed relating to the above mentioned meeting.

4. Minutes of the meeting of the Overview and Scrutiny Board held on 13th June 2011 (Pages 1 - 6)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
5. Minutes of the meeting of the Audit Board held on 9th June 2011 (Pages 7 - 10)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

21st June 2011

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

MONDAY, 13TH JUNE 2011 AT 6.00 P.M.

PRESENT: Councillors C. J. Bloore, J. S. Brogan, Dr. B. T. Cooper, S. Dudley, K. A. Grant-Pearce, R. J. Laight, P. Lammas, P. M. McDonald, S. P. Shannon, Mrs. C. J. Spencer, L. J. Turner and P. J. Whittaker

Officers: Ms. J. Pickering, Mrs. C. Felton, Mr. J. Godwin and Ms. A. Scarce

1/11 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor P. J. Whittaker be elected Chairman of the Board for the ensuing municipal year.

2/11 **ELECTION OF VICE CHAIRMAN**

RESOLVED that Councillor P. Lammas be elected Vice Chairman of the Board for the ensuing municipal year.

3/11 **APOLOGIES**

An apology for absence was received from Councillor Mrs. R. L. Dent.

4/11 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

5/11 **MINUTES**

The Minutes of the Overview and Scrutiny board meeting held on 5th April 2011 were submitted.

RESOLVED that the minutes be approved as a correct record.

6/11 **SILVERDALE PLAY AREA PETITION - REPORT**

The Chairman welcomed the Head of Leisure and Cultural Services to the meeting. The Head of Leisure and Cultural Services gave background information on the Silverdale Play Area Report.

Members discussed the confusion which had been caused by the wording in the initial report to Cabinet on 1st December 2010. The Head of Leisure and Cultural Services confirmed that this had been noted and would be taken on

board in future reports. The Board also noted those that had been consulted in the preparation of the report and after further discussion it was

RECOMMENDED that the Report Template be amended to include, where appropriate, the Ward Councillor under the heading Others Consulted on the Report.

RESOLVED that the Board notes the content of the Silverdale Play Area Report.

7/11

IMPROVING RESIDENTS' SATISFACTION TASK GROUP - 12 MONTH REVIEW REPORT

The Chairman introduced this item and officers explained to the Board that this was the 12 month Review of the Improving Residents' Satisfaction Task Group. The report was for information and it was at the discretion of the Board to consider whether to take any further action on the progress of the recommendations from the Task Group.

Members enquired how satisfaction of residents' was measured. Officers explained that previously it had been through the Place Survey and performance indicators; however, this was no longer a statutory requirement for the Council. Therefore officers were currently exploring other means of monitoring residents' satisfaction. The Board had received an update on this at the meeting held on 5th April 2011.

The Board also discussed staff morale and how this was monitored. Officers informed Members that the Chief Executive regularly held staff forums and drop in sessions and had extended an invitation to each member of staff to speak to him individually about any particular concerns they had within the organisation. Heads of Services also updated staff regularly to try and ensure that concerns were addressed wherever possible. Officers conceded that it was difficult to monitor the success of this and advised Members that although positive feedback was received there had been occasions when points had been raised by staff which had been overlooked by the management team and these were taken on board. Members discussed what effect, if any, this had on sickness absence and whether this was also monitored. Officers informed Members that this was monitored both by the Cabinet and the management team and there was a process in place for managing that absence when the member of staff returned to work.

The Board discussed the decision to defer the internal assessment against the Customer Service Excellence accreditation and confirmed that this should remain on the Board's Quarterly Recommendation Tracker.

RECOMMENDED that sickness absence be included as part of the performance information that the Board received on a regular basis.

RESOLVED that the 12 month Review of the Improving Residents' Satisfaction Task Group be noted.

8/11 **HOT FOOD TAKEAWAY INVESTIGATION - 12 MONTH REVIEW REPORT**

The Board was advised that this report was the 12 month review of an investigation carried out on Hot Food Takeaways and for Members to note whether the recommendations had been carried out and if any further action was necessary. After discussion it was

RESOLVED that the Board receive an update in respect of the Local Development Framework and the consultation exercise which has recently been carried out.

9/11 **OVERVIEW AND SCRUTINY BOARD DRAFT ANNUAL REPORT 2010/11 - FOR INFORMATION**

The Board received the draft Overview and Scrutiny Annual Report for 2010-11 for information.

Members raised concerns and discussed in detail, the workload of the Board in the context of support received from Committee Services Officers, following the amalgamation of the four Boards earlier in the year. A major concern was the ability to carry out additional investigations and task groups outside of the work programme. Officers confirmed that one Committee Services Officer supported the Board and this had been agreed at full Council as part of the final budget settlement in February 2011. Officers confirmed that from a financial point there was an option for Board Members to recommend to Cabinet and then through to full Council, for additional resources to be made available, if the Board feel that the current support was not sufficient for the Board to carry out its work successfully.

10/11 **FORWARD PLAN OF KEY DECISIONS 1ST JUNE - 30TH SEPTEMBER 2011 (FOR INFORMATION ONLY)**

The Forward Plan of Key Decision was considered and noted by the Board. Officers advised Members that this was an opportunity to look forward to decisions that had not yet been made and to participate in shaping those decisions and policies through the process of pre-scrutiny at an early stage.

The Board discussed the Car Parking Shared Service Business Case and Officers advised Members that this was purely in relation to the management aspect of car parking and not car parking charges. Several options were being considered including out sourcing to another council.

11/11 **THE PLANNING PROCESS - OVERVIEW AND SCRUTINY TOPIC PROPOSAL REPORT**

The Chairman introduced this item as he had put forward the Overview and Scrutiny Topic Proposal in respect of the planning process and asked Members to consider including this within the work programme for the coming year. The Chairman explained he had chosen this topic because the vast majority of communications he received from residents was in relation to some

part of the planning process. An investigation into the planning process would be beneficial in order to enhance the reputation of the Council.

Members aired concerns over the size of such an investigation and that this would take up the capacity of the Board in its entirety. Although the proposal stated scrutiny of all areas of planning it would be necessary to break the process down into specific areas of planning and to concentrate on those areas of most concern to both Members and residents in the first instance. The Board was also concerned about changes that were expected to take place following the implementation of the Localism Bill later in the year and discussed whether it would be appropriate to defer the topic until the Bill was in place.

The Board was also concerned about the resources available to them, as this investigation would take up a large part of both the Board's resources and officer time from the planning department. After discussion it was agreed that Enforcement would be investigated initially with a view to this leading into further areas as the investigation progressed. The options for how the investigation would be carried out were considered and it was felt that an investigation, through both formal and informal meetings, by the Board would be appropriate.

RESOLVED that the Board carry out an investigation into planning enforcement and consider further areas of the planning process for investigation on completion of the initial investigation.

12/11 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME 2011/12**

The Board considered the Work Programme for 2011-12. Officers advised Members that the Work Programme contained several topics which had not been allocated to specific meetings as they were carried over from the previous municipal year and it was at the discretion of the Board as to whether they wished to investigate these topics.

The Board considered topics for future scrutiny and inclusion in the work programme. Members discussed the Council's Ethical Policy which related to advertising on for example traffic islands and advertisements within Council literature such as Together Bromsgrove. Members requested that Officers present a short report to the Board on this topic to ensure that the policy was being adhered to.

Councillor C. J. Bloore proposed a topic, the reduction in bus services due to withdrawal of bus subsidies, for consideration by the Board as a task group. After detailed discussion and due to the limited time available, Members requested a completed Overview and Scrutiny proposal form, with a covering report and background information, be submitted to the Board meeting to be held on 11th July 2011.

Councillor S. P. Shannon advised the Board that he had put forward a topic for possible scrutiny on 13th June 2011, in respect of issues at the pay on foot Recreation Road Car Park. Officers confirmed that background information

would also be obtained in respect of this and the completed Overview and Scrutiny proposal form, together with a short covering report, would be submitted to the Board meeting to be held on 11th July 2011.

RESOLVED:

- (a) that a progress report on Enforcement and Fixed Penalty Notices for Environmental Services be timetabled in for 12 months post implementation;
- (b) that the Worcestershire County Council Draft Older People's Strategy be removed from the Work Programme; and
- (c) that in respect of the Council's Ethical Policy, a report and attendance from the appropriate officer be requested for the meeting of the Board to be held on 11th July 2011.

The meeting closed at 7.15 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE AUDIT BOARD

THURSDAY, 9TH JUNE 2011 AT 6.00 P.M.

PRESENT: Councillors J. S. Brogan, S. Dudley, Miss P. A. Harrison and L. Mallett

Officers: Ms. J. Pickering, Ms. M. Wall, Mr. A. Bromage and Ms. P. Ross

1/11 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor L. Mallett be elected Chairman of the Board for the ensuing municipal year.

2/11 **ELECTION OF VICE-CHAIRMAN**

RESOLVED that Councillor J. S. Brogan be elected Vice-Chairman of the Board for the ensuing municipal year.

3/11 **APOLOGIES**

Apologies for absence were received from Councillors Ms. M. T. Buxton, Dr. B. T. Cooper, Mrs. H. J. Jones and R. Hollingworth, Portfolio Holder for Finance, Partnerships and Economic Development.

4/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

5/11 **MINUTES**

The minutes of the meeting of the Audit Board held on 11th April 2011 were submitted.

RESOLVED that the minutes be approved as a correct record.

6/11 **BRIBERY ACT 2010**

Members considered a report that provided the information necessary to prepare the Council to implement processes and procedures to ensure compliance with the Bribery Act 2010 that would come into effect on 1st July 2011.

The Fraud Services Manager presented the report and informed Members that Local Authorities were not exempt from the Bribery Act 2003, as they were 'formed' within the United Kingdom and conducted business. She informed Members of 'The Six Principles' that the Council should comply with in order to have a level of defence:

- Proportionality
- Top Level Commitment
- Risk Assessment
- Due Diligence
- Communication
- Monitoring and Review

The Fraud Services Manager responded to Councillor J. S. Brogan and confirmed that the 3 month implementation period was from 31st March 2011 to 30th June 2011 and not 31st March 2011 to 30th June 2010 as shown in section 2.1 of the report.

RESOLVED that the information as set out in Appendix A to the report be noted and that the implications of the Bribery Act 2010 be included in future Council strategies.

RECOMMENDED that procedures be put in place to avert any possible actions against the Council, in relation to Bribery actions and in relation to potential legal actions that could be taken against the Council for not having 'adequate' procedures in place.

7/11

INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS) UPDATE AND DRAFT ACCOUNTING STANDARDS

Consideration was given to a report which requested Members to note progress made in the implementation of the new International Financial Reporting Standards (IFRS) and to approve the proposed draft Accounting Standards in preparation for the 2010/2011 Accounts.

The Executive Director Finance and Corporate Resources presented the report and informed Members that officers had completed the following work; reinstatement of the 2008/2009 balance sheet and the 2009/2010 accounting statements. This had included a review of all Asset Categories and the production of a new Asset Register on the IFRS basis.

RECOMMENDED:

- (a) that the current position with regard to the implementation of International Financial Reporting Standards (IFRS), be noted; and
- (b) that the Accounting Policies as set out in Appendix 1 to the report, be approved.

8/11 **INTERNAL AUDIT MANAGER'S - DRAFT AUDIT OPINION 2010/2011**

Members considered a report which detailed the draft 2010/2011 Acting Worcestershire Internal Audit Shared Services Manager's Opinion to be included as part of the Annual Governance Statement and included with the Statement of Accounts for 2010/2011.

Mr. A. Bromage, Worcestershire Internal Audit Shared Service, Audit Manager presented the report and informed Members that based on the audits performed in accordance with the approved revised plan, he had concluded that the internal control arrangements during 2010/2011 effectively managed the principal risks identified in the audit plan and could be reasonably relied upon to ensure that the Council's corporate objectives had been met. He informed Members that all of the completed audits had been allocated an opinion of either 'Full' or 'Significant' Assurance which meant that there was a generally sound system of internal control in place, no significant control issues had been encountered and no material losses had been identified during a time of significant transformation and change.

RESOLVED that the Internal Audit Opinion to be included in the Annual Governance Statement as set out in Appendix 1 to the report, be noted.

9/11 **INTERNAL AUDIT PERFORMANCE AND WORKLOAD 2010/2011**

Consideration was given to a report that provided the Internal Audit Out-turn statement for the period 1st April 2010 to 31st March 2011.

The Executive Director Finance and Corporate Resources and Mr. A. Bromage, Worcestershire Internal Audit Shared Service, Audit Manager responded to Members' questions regarding the significant time placed in the 'management' budget.

RESOLVED:

- (a) that the revised Internal Audit Plan 2011/2012 approved by the Audit Board during its meeting held on 11th April 2011 be presented to the next meeting of the Audit Board; and
- (b) that the Internal Audit Out-turn Statement for the period 1st April 2010 to 31st March 2011 be noted.

10/11 **RISK MANAGEMENT TRACKER - QUARTER 4**

Members considered a report which presented an end of year overview in relation to Actions/Improvements (actions) as detailed in the service area risk registers for the period 1st April 2010 to 31st March 2011. Members were asked to note that Regulatory Services were currently not included within the risk management process to allow for the shared service to be fully embedded.

The Executive Director Finance and Corporate Resources and Mr. A. Bromage, Worcestershire Internal Audit Shared Service, Audit Manager

responded to Members' questions regarding the 46 actions excluded during the course of the year, as detailed in section 4.4 of the report.

RESOLVED:

- (a) that the Worcestershire Internal Audit Shared Service, Audit Manager be tasked to provide details of the 46 actions excluded during the course of the year to the next meeting of the Audit Board; and
- (b) that the end of year position for all service area risk registers for 1st April 2010 to 31st March 2011, be noted.

11/11 **LOCAL GOVERNMENT ACT 1972**

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraphs</u>
12	3

12/11 **RECOMMENDATION TRACKER**

Members considered a report presenting a summary of progress to date against audit report "priority one" and key "priority two" findings and agreed actions.

Members were asked to note that for the audits completed as part of the 2010/2011 Annual Audit Plan there were no "priority one" or key "priority two" actions to report.

The Executive Director Finance and Corporate Resources and Mr. A. Bromage, Worcestershire Internal Audit Shared Service, Audit Manager responded to Members' questions regarding the revised target completion dates.

RESOLVED:

- (a) that officers provide feedback to the Audit Board with regards to any future slippage on revised target completion dates; and
- (b) that the "priority one" and key "priority two" findings and agreed actions as set out in Appendix 1 to the report be noted; and
- (c) that any necessary action and reporting process be agreed.

The meeting closed at 6.58 p.m.

Chairman