

BRECKLAND COUNCIL

At a Meeting of the

GOVERNANCE AND AUDIT COMMITTEE

Held on Thursday, 2 February 2023 at 10.00 am in

**The Breckland Conference Centre, Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE**

PRESENT

Cllr Bill Borrett (Chairman)	Cllr Robert Hambidge
Cllr Robert Kybird (Vice-Chairman)	Cllr Linda Monument
Cllr Harry Clarke	Mr David Fowler (Independent Lay Advisor)

Also Present

Cllr Timothy Birt	Cllr Jane James
Cllr Philip Cowen	Cllr Philip Morton

In Attendance

Alison Chubbock	- Section 151 Officer & Assistant Director Finance
Matthew Fernandez-Graham	- Accountancy Manager
Faye Haywood	- Head of Internal Audit
Mark Hodgson	- Lead Audit Partner
Ryan Pack	- Innovation and Change Business Partner
Andrew Paylor	- Audit Manager
Rory Ringer	- Democratic Services Manager (Deputy Monitoring Officer)
Sarah Wolstenholme-Smy	- Legal Services Manager (Deputy Monitoring Officer)
Julie Britton	- Democratic Services Officer

1/23 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 29 September 2022 were agreed as a correct record and signed by the Chairman.

2/23 ACTIONS ARISING FROM THE MINUTES (IF ANY) (STANDING ITEM) (AGENDA ITEM 2)

Councillor Morton mentioned the reference to a request on page 7 of the Minutes (penultimate paragraph) in respect of the figures in terms of the spend for temporary accommodation that was supposed to be quantified at this meeting.

Alison Chubbock, the Assistant Director of Finance stated that such figures would be available as part of Quarter 3 Performance Report.

3/23 APOLOGIES (AGENDA ITEM 3)

None received.

Julie Britton, the Democratic Services Officer apologised to Mr Fowler, the

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Independent Lay Advisor for not including his name on the front of the agenda again, this would be rectified for the June meeting.

4/23 URGENT BUSINESS (AGENDA ITEM 4)

None.

5/23 DECLARATION OF INTERESTS (AGENDA ITEM 5)

None declared.

6/23 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 6)

Councillor James, the Executive Member for Customer & Corporate Services and Councillor Cowen, Executive Member for Finance, Revenue & Benefits were in attendance to present Agenda items 8, 10 and 11 respectively.

Councillor Birt and Councillor Morton were also in attendance.

7/23 TRAINING (STANDING ITEM) (AGENDA ITEM 7)

None required.

8/23 Q3/Q4 RISK REPORT (AGENDA ITEM 8)

Councillor James, the Executive Member for Customer & Corporate Services introduced the report.

She was pleased to inform Members that the strategic risks identified by the Council had reduced by one to 11, this risk related to Leisure Centres reopening that was discussed at the previous Committee meeting in September. Attention was drawn to the waste consultation and Nutrient Neutrality risks. It was noted that there had been movement in regard to these risks in relation to announcements and proposed ways forward, however, whilst these were steps in the right direction the Council had taken the decision not to change the current risk ratings. The reason for this decision was that these announcements had yet to be translated into tangible mitigations that could possibly lower the risk. She had not doubt that these announcements would be possible steps forward, but time would have to be allowed for them to become fully realised and implemented.

Ryan Pack, the Innovation & Change Business Partner provided further details in respect of the Leisure risk. This risk had been removed based on the fact that the levels of participation had now recovered and were back to pre-Covid levels and therefore was no longer considered to be a strategic risk to the Council. Other risks mentioned were the rescoring of the IT cyber security and GDPR. The IT cyber security risk had been rescored at the request of this Committee and the GDPR risk had been rescored at the request of the Auditors who believed the score to be too high.

In response to a question about whether it was anticipated that the risks mentioned earlier in respect of Nutrient Neutrality and Waste consultation

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could eventually be moved into a lower category, the Innovation & Change Business Partner explained that there was nothing specific that he was currently aware of that would warrant decreasing those risks at the moment.

Mr Fowler, the Independent Lay Advisor drew attention to page 19 of the agenda pack under the rising temporary accommodation usage risk in respect of the potential consequences and asked what was meant by 'large' costs. Referring to the same risk, he also referred to the national awareness that had been raised in regard to poor housing conditions and asked if the Council considered this as a risk. Additionally, he queried the date of the National Planning Policy Framework (NPPF) review that could be found on page 23 of the agenda pack, as he was aware that this consultation was currently taking place at the moment and not in 2024 as mentioned in the register.

The Vice-Chairman, Councillor Kybird agreed with the latter query as a report had been included on the agenda for the forthcoming Cabinet meeting.

Mr Fowler then referred to a typo on page 31 of the agenda pack, 3rd line down, the word 'and' should be changed to 'are', to read 'As the contracts 'are' all long-term'. He then mentioned the Planning & Building Control contract that was due to end in 2024 and felt that as there would be procurement and TUPE implications, this, in his opinion, should start to be considered now to ensure continuation of service.

In terms of costs to the Council, the first question asked, the Innovation & Change Business Partner explained that he had hoped to bring the latest figures to this Committee meeting but due to staff sickness, the figures would be emailed to Members instead. In terms of housing conditions, category 1 hazards were already included in the performance report, and these were recorded in the number of notices served, there was nothing around standards as Breckland Council did not own any housing stock. As far as the date of the NPPF was concerned this would be checked with Planning Officers. Contracts continued to be monitored but if Members would prefer to receive further information on contract renewal end dates, such information could be added moving forward.

Referring to the large costs in respect of housing, Alison Chubbock, the Assistant Director for Finance, advised that such costs were reported in the quarterly financial performance report to Cabinet, and the quarter 3 report that was due to be reported at the forthcoming Cabinet meeting, the additional costs for housing was just over £300k and the additional cost for housing benefit was just under £800k. These were significant costs but were being mitigated through the purchase of a number of properties by this Council and therefore such costs would decrease overtime. She agreed with the comments made in respect of contracts but assured Members that these were already considered prior to renewal.

Mr Fowler questioned the Council owned properties as there seemed to be some contradiction. The Innovation & Change Business Partner apologised for the confusion, the housing that the Assistant Director of Finance referred to was temporary accommodation and the standard of such accommodation would be taken into account.

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In terms of housing standards, Faye Haywood, the Head of Internal Audit stated that some audit work was currently being undertaken on issues such as mould, damp etc and this information would be provided at the next meeting.

Councillor Birt also mentioned the Leisure Centre re-opening and the risk being removed but felt that this was still a significant risk in terms of the increase in energy costs and the exceptional costs of running heated swimming pools with many being closed. He was aware that the Council would not be in a position to close the Leisure Centres in Dereham and Thetford due to the PFI contract that protected the profits of the providers, but this would mean that this Council could be at risk of very high energy bills costs that this authority would have to pay. The other aspect that should be taken into account was that Leisure Centres were one of the Council's highest carbon emitters and there was no plan in place to address such a matter and as such was likely to cost money going forward.

The Head of Internal Audit explained that this would be included in next year's programme as could be seen within the next agenda item (agenda item 9, page 56) sustainability and climate change where it was proposed to provide a de-carbonisation plan in 2024/25.

Councillor Birt then drew Members' attention to the sustainability strategy risk on page 22 of the agenda pack. He had raised this as a concern at the previous meeting as he felt that this risk would become elevated. The carbon footprint 2021/22 had already been presented to Cabinet on 21 November 2022 that showed despite some very speculative ideas, including hydrogenated vegetable oil as road fuel, and all the effort put in by this Council, only half of the target by 2035 would be reached. Therefore, on the basis that this Council did not actually have a plan, let alone an implementation of that plan, he could not understand why the score had not changed and had remained static since its fruition.

The Innovation & Change Business Partner felt that this was a fair point and was happy to take a look at this again, but this was a long-term risk to the Council, until 2035, and the reason that this risk had not moved was because there was still a significant amount of time.

Councillor Birt felt that it should still be looked at. He then drew attention to pages 24 and 29 of the agenda pack, the critical breach of ICT security risk and the General Data Protection regulation risk. He had noticed that in both cases, the likelihood of those events had been reduced but the impact had risen which he felt was suspicious as there was nothing in the text about why the impact rating had increased.

The Innovation & Change Business Partner explained that this had been mentioned earlier and was in respect of the rescoring, and the reasoning behind this was explained.

Referring to the GDPR risk, the Vice-Chairman asked if there had been any improvement on the numbers of Members completing the training and would there be a programme of training for new Members immediately following the Election.

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In response, Councillor James pointed out that there was an outline of the Member training programme on the next General Purposes Agenda and was an intrinsic part of the new Member support package. All Members were soon due for a refresher course on Hut Six and she urged Members to complete the current training programme if they had not done so already.

The contents of the report were noted.

9/23 STRATEGIC AND ANNUAL INTERNAL AUDIT PLANS 2021/22
(AGENDA ITEM 9)

The Head of Internal Audit presented the report.

This was quite a lengthy report; however, some elements of it were just a formality; therefore, Members were guided through the high-level points and directed to the areas where their input and feedback was required.

The introduction outlined the reason why the report was produced, and the Internal Audit Strategy and Charter were formal documents that Audit was required to provide to Members as part of the Public Sector Internal Audit Standards. These went into great detail of how Internal Audit carried out their work that Members received annually and had not changed from previous versions.

In October 2022, Eastern Internal Audit Services was fully assessed by the Chartered Institute of Internal Auditors and the conclusion of the review had been very good in terms of performance with the Standards. It had been highlighted; however, that Assurance Mapping was as an area that required further development. Following discussions with Senior Management, the Internal Audit Team had been able to map the types of assurance available for the top five strategic risks facing the Council in each of the three assurance categories (see section 6.5 and 6.6 on page 41 of the agenda pack).

Members attention was then drawn to page 54 of the agenda pack onwards. This was a high level 3-year programme looking at the types of audits that should be carried out and the strategic risks had been mapped to those.

Referring to page 58 of the agenda pack, these were the areas that Internal Audit were proposing to look at for the year ahead - the number of days proposed to carry out this work and notes in terms of what might be looked at. Members were asked for feedback on this section and if there were any areas that they had expected to see in next year's programme that had not been included.

Councillor Clarke referred to the Internal Audit Plan 2023/24. He agreed with Appendix 5 in respect of the top strategic risks and the fact that Nutrient Neutrality was a moving feast and would ultimately be resolved but in the commentary in Appendix 3 the column headed 'last reviewed & assurance' he felt that it would be helpful to have some explanation on how assurance was moved from 'reasonable' to 'substantial'.

The Head of Internal Audit explained the methodology behind the 4 gradings, no assurance, limited, reasonable and substantial. Substantial

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was the top grading, the meaning of which was that everything was operating effectively.

Councillor Kybird, the Vice-Chairman mentioned People & Governance that included Elections and asked what Audit would cover in respect of the photographic evidence that was now required to be able to vote in an Election.

Members were informed that the Election Team was extremely busy at the moment, and she had no intention of disturbing them and as this was a new element, assurance would be provided going forward.

Councillor Monument was puzzled by the dates in respect of the Internal Audit Charter for 2023/24 and the Strategic Internal Audit Plan for 2023/24 to 2026/27 which in her opinion was not a 3-year plan. She also mentioned section 4.2 on page 40 of the agenda pack and asked whether this was meant to be a 3-year strategic plan. Also, on page 59 she had noticed that there were several items that required 'regular' review and asked if regular meant annually. Other queries related to when the benchmarking exercise would be taking place as there was no date against it and the meaning of BRK on page 61 of the agenda pack.

The Head of Internal Audit explained that it was a 3-year programme, but this could be worded better to avoid any confusion. Regular reviews were carried out annually and she would ensure that this was clearer going forward, there was no date set for the benchmarking exercise as yet, but it would be at some point in the summer and the meaning of BRK was an abbreviation used by the Team to refer to Breckland Council.

RESOLVED that the Committee notes and approves:

- a) the Internal Audit Charter for 2023/24;
- b) the Internal Audit Strategy for 2023/24;
- c) the Strategic Internal Audit Plan 2023/24 to 2026/27; and
- d) the Annual Internal Audit Plan 2023/24.

10/23 TREASURY MANAGEMENT MID YEAR REPORT 2022-23 (AGENDA ITEM 10)

Councillor Cowen, the Executive Member for Finance, Revenue & Benefits introduced the report.

All information was contained in the background at section 1 of the report and was very important as it set out what the Council had to do in terms of preparing and producing this information. Appendix A contained a summary of a number of activities.

Matthew Fernandez-Graham, the Accountancy Manager then provided more detail in respect of a couple of points contained within the report

As of the end of December 2022, the Council had just over £34m invested in cash with various counterparties and had made in 9 months, £340k in interest, better than the budgeted amount. This had been due to the

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increase in interest rates and the Council Tax rebate scheme. Members were informed that an error had been spotted by Councillor Monument when the agenda had been published, within the two tables on page 70 of the report, the correct figure on the top table under the budget 2022/23 in respect of the closing balance should read £2.182m and again in the bottom table budget 2022/23 in the bottom two rows for CFR and Under/ (over) funding of CFR should read £2.182.

Councillor Birt drew attention to section 2.1 on page 68 of the agenda pack. He was struggling to understand the two tables, firstly, the service investments, it seemed to him that the Council had made less than half of what it had planned, and if this was the case, which investments had not been and why, and had these been carried forward.

The Accountancy Manager explained that the service investments figure would be reported to Cabinet at its forthcoming meeting and was the position at the end of December 2022, there would be some carry forward requests and not all of the budget would have been spent by the end of the financial year.

The Chairman said that he believed this was called slippage and did not necessarily mean that they would not be delivered just not in this financial year. The answer to the remainder of Councillor Birt's question would be contained in the Cabinet report.

On page 79, Appendix B of the report, Councillor Birt had noticed a reference stating that currently 49% of investments had a maturity of less than one week and asked if it would be better to tie up the Council's investments for a longer term and getting a better return on them rather than just for a week.

Members were informed that this was just a coincidence, the Council did have long term investments and were due back in the first week of January 2023 so as at 31 December those investments had a maturity value of less than a week.

As the interest rates were due to increase again, the Chairman felt that it was not a good idea to invest long-term at a set level.

As there were no further questions, it was

RESOLVED that:

1. the actual prudential indicators for April to December 2022/23 within this report be noted; and
2. the Treasury Management Mid-Year Report for 2022/23 at Appendix A and Appendix B of the report be noted.

11/23 TREASURY MANAGEMENT POLICY AND STRATEGY 2023-24
(AGENDA ITEM 11)

The Chairman pointed out that under this item there was an appendix that was private & confidential and if Members wished to discuss this in more detail, a vote would have to be taken to go below the line and would be taken as the last item on the agenda.

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It was agreed that no discussion was required in terms of the private & confidential appendix and the meeting remained in public session.

The Executive Member for Finance, Revenue & Benefits introduced the report. This report was for Members to recommend to Full Council, and it outlined the Council's prudential indicators for 2023/24 and 2025/26. Item 1 of the report provided the background and identified why the Council was doing this, why it had to do it and the procedures subsequently identified how the Council had gone about it. He asked Members to note the key elements of the Prudential Code that had to be addressed and most importantly, at section 1.3, it confirmed that a balanced budget had to be produced.

The Accountancy Manager then presented the report. The report contained relatively few changes since July 2022 when Members last considered the Treasury Management Policy and Strategy.

The main changes were highlighted.

The maximum amount that the Council could invest in secure counterparties for up to one year or more was currently £7.5m but was now being recommended that where these secure counterparties were non-UK banks, the Country limit set at £5m for all investments, should be raised to £7.5m to ensure consistency of investments.

The Council was still not expecting to borrow externally over this time period but borrowing internally would be required to fund the Capital Programme and would be repaid overtime.

The table on page 94 of the agenda pack that the returns on the Council's investments for next year would be just over 6% in terms of the Council's revenue stream due to the level of interest rates.

Attention was then drawn to page 99 of the agenda pack, where based on the estimates in the report and the 10-year capital programme, a liability benchmark had been developed to cover the next 10 years. The dotted red line was the key line to note as this was the liability benchmark which was negative for the next 10 years and the reason for this was that the investments were expected to exceed the Council's external borrowing.

Mr Fowler, the Independent Lay Advisor referred to table 2 on page 90 of the agenda pack and asked why there was such a leap in the capital receipts and reserves column from this year to next.

Members were informed that the Council current had a major asset sale that was expected to happen at some point in 2023/24. The Chairman stated that the key here was that this was only an estimate.

Councillor Birt referred to page 131 of the agenda pack, the interest rate forecast. He was aware that there had been some huge changes in this forecast compared to previous reports. The report that had been presented in June 2022; showed that the peak rate had been 2% where this report was 4.5%. He had asked the same question back then, and asked again, what was the confidence level in the Link Group forecast and would this Council be making any budgetary plans for inflation and

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interest rates to be higher. The budgetary consequences of higher inflation meant that it made the services that this Council delivered more expensive, and he had noticed that the inflation increase had already been set in the budget to 3% but this report was providing an indication that inflation was going to be higher than that. He asked for comments on this matter.

The Accountancy Manager explained that the interest rates had increased much faster over the last 12 months than had been expected but a comparison was produced. In terms of when the budget was set, inflation estimates and the forecast on inflation that the Treasury produced were taken into account and had been factored into the budget setting process.

The Chairman stated that advice was taken from external parties such as Link who were experts in this field.

The Executive Member for Finance, Revenue & Benefits pointed out that the key word was forecast, and that was what budgeting was all about and the Council had to draw on the information available from the experts in this field. He reminded Members that this report was not about the budget as this would be discussed elsewhere at other meetings.

Councillor Monument referred to page 83 of the agenda pack, 3rd paragraph where it said 'where the treasury strategy is meeting strategy' and felt that there must be a word missing. Also, at the bottom of the table on page 105, she had noticed that it said, 'approval will be based on individual circumstances without further reference to the Governance & Audit Committee' and asked for the meaning of this.

In response to the first query, the word 'performance' had been inadvertently omitted and would be corrected. As far as the latter query was concerned, it was explained that this would not be brought back to this Committee every time the Council invested.

In response to a final query raised at the bottom of page 107 of the agenda pack, it was noted that the word; 'we' would be Council Officers.

The recommendations were proposed and seconded, and it was

RECOMMENDED to Council that:

1. the Treasury Management Strategy 2023-24 to 2025-26 at **Appendix A** of the report be approved;
2. the Minimum Revenue Provision (MRP) statement contained within **Appendix A** of the report which sets out the Council's policy on MRP be approved;
3. the Prudential & Local Indicators and limits contained within **Appendix A** of the report (Tables 1-11) be approved;
4. the Investment Strategy 2023-24 (**Appendix B**) of the report and the detailed criteria included in **Appendix B1** be approved; and
5. the Treasury Management Policy at **Appendix B2** of the report be approved

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12/23 EXTERNAL AUDIT PLAN FOR 2021/22 (AGENDA ITEM 12)

Mark Hodgson, the External Auditor introduced the External Audit Plan for the 2021/22 financial year. Overall, Ernst & Young were in a very good place with the audit and were looking to complete and sign the audit next week, this was due to the excellent support provided by the Officers in the Finance Team, and indeed the strength in the draft financial statements that had been presented for audit. A few audit differences had been identified and at the time of the agenda publication, the auditors had not been in a position to issue a full audit result report, but an audit progress report had been provided.

A detailed update on the major areas was then provided by Andrew Paylor, the Audit Manager in attendance.

The Vice-Chairman asked if all matters concerning the previous partnership with South Holland District Council now closed.

Members were informed that there were still some shared services, but these were significantly less.

Mr Fowler had noticed that there were a few references to outstanding information on page 149 of the agenda pack and that supporting documentation was still awaited. He had also noticed that there was a long list of items on page 155 to 159 of the agenda pack that were still outstanding and asked the auditors if they were concerned.

Members were informed that dialogue in respect of such matters was still on-going, but he did not have any concerns.

Alison Chubbock, the Assistant Director of Finance advised that this was a list at a point in time, a good dialogue was still taking place and the information required was being provided in a timely manner.

Councillor Morton referred to the £1.6m due to Covid and how this would affect the accounting.

The Audit Manager explained that there would be no impact to the bottom line this would just show on the balance sheet.

Councillor Morton also asked a question about pension liability and whether the auditors felt that this was stable.

The Accountancy Manager advised that pension liability varied and went up and down every year. This amount was the amount that authorities would have to pay out, but Norfolk County Council was a stable policy and this £1.6m was just a number at a point in time.

The Chairman advised that the pension fund was in the hands of others and was positive than previous years.

The External Audit Plan for 2021/22 was otherwise noted.

13/23 AUDITED STATEMENT OF ACCOUNTS 2021-22 (AGENDA ITEM 13)

The Accountancy Manager presented the audited Statement of Accounts

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2021/22.

Members were informed that the audit had progressed very well and the list of all changes made since July 2022 could be found at paragraph 1.3 of the report. There was one additional change to be made and that was around covid related grants and infrastructure but most of the changes were only to note.

Councillor Birt was confused about the page numbers and referred to pages on either page 210 or 217 of the agenda pack under Note 15, Provisions (page 217) the outstanding legal cases budget provision. He had noticed that the text was all about planning cases and asked if the provision was entirely for such matters or was there provision in there for other legal cases.

It was noted that all related to planning court cases at this point in time.

Mr Fowler referred to page 163 of the agenda pack and wondered how this authority managed to determine more applications than were received.

The Assistant Director of Finance said that this was a timing difference but she would check the numbers.

There were no further questions.

RESOLVED that subject to the finalisation of the audit of the accounts by Ernst & Young, the Governance and Audit Committee resolved as follows:

(a) to approve the financial statements of the Council as presented, having taken account of the External Auditors report. To authorise the Chairman of the Governance & Audit Committee to sign and date the financial statements, once the auditor has completed their outstanding procedures as described, on the basis that no material audit differences are identified. If those procedures identify any material audit difference, which would require a material adjustment to the financial statements, the Governance & Audit Committee would be notified and updated accordingly and a new motion to approve the revised financial statements made at the next available Governance & Audit Committee meeting.

(b) to approve the Annual Governance Statement 2021-22 as presented, having taken account of the External Auditors report. To authorise the Chief Executive and Leader to sign and date the Annual Governance Statement once the auditor has completed their outstanding procedures as described, on the basis that no material audit differences have been identified or are expected.

(c) to authorise the Chairman of the Governance & Audit Committee to approve the Letter of Representation 2021-22 once this is received.

14/23 ACCOUNTING POLICIES 2022-23 (AGENDA ITEM 14)

The Accountancy Manager presented the report.

It was noted that a couple of changes were proposed to the accounting policies for this financial year, the appeals provision and surplus land –

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both were proposed to be removed and the reasons were explained.

Councillor Monument drew attention to page 276 of the agenda pack and referred to the wording above the yellow highlight where it said that 'a de-minimis level of £20,000 has been adopted for the inclusion of non-current assets in all categories' and felt that the following yellow highlighted wording, 'with the exception of', that was marked for deletion should remain otherwise it did not make sense.

The Chairman agreed with the above amendment.

Councillor Birt asked who determined the de-minimis level. Members were informed that it was this Committee

RESOLVED, that subject to the above amendment, the accounting policies for 2022-23 at Appendix A of the report be agreed.

15/23 STANDARDS - REVIEW OF CODE OF CONDUCT (AGENDA ITEM 15)

Sarah Wolstenholme-Smy, the Legal Services Manager presented the report.

Under the Localism Act all authorities were required to adopt a Code of Conduct. The Council's current arrangements had been adopted in March 2017 and the current Code was published as part 5 of the Constitution.

Following a review of the ethical framework for members, the Committee on Standards in Public Life (CSPL) recommended that there should be a national model Code of Conduct. This recommendation had been passed to the LGA to progress and in 2020 the LGA released a draft Model for consultation.

There had been extensive consultations on the draft resulting in some changes and a finalised Model Code of Conduct had been released in May 2021.

The LGA model was more detailed than the Council's own Code of Conduct (see paragraph 3.1 of the report), but it was not compulsory to adopt; however, it was being recommended that it should be adopted for a consistency approach across all Norfolk councils

The Chairman felt that this was very important as not only would it be used by Breckland Council but also by many Parish Councils who had adopted Breckland's Code. He also felt that it had been worth bringing this new Code forward now prior to the Elections in May for good governance.

The Vice-Chairman referred to Appendix B of the report that referred to the Joint Statement and asked who the parties were in this Statement. The Legal Services Manager said that she would clarify that and report back accordingly.

The Vice-Chairman also noticed that the Model Code did not refer to pre-determination and contained very little in terms of data protection. He also felt that it should include some form of guidance on appropriate

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Member training.

Councillor Clarke was pleased to see reference to the Seven Principles of Public Life, known as the Nolan Principles, being taken into account. He was also pleased to see, under paragraph 1.2 of Appendix A of the report, that all Councillors must be committed to behaving in a manner consistent with the seven principles. He then referred to the role of the Monitoring Officer, in terms of the Appeal process.

The Legal Services Manager explained that the Standards Committee had made recommendations to Government in terms of what powers the Monitoring Officer had, and the response was still awaited.

Councillor Birt had also noticed the omission of pre-determination. He did, however, support the adoption of this new Code of Conduct as he felt that this would be a significant improvement as to what the Council had now. He had on many occasions pointed out numerous flaws in the past in terms of Breckand's interpretation of the Nolan Principles, and by adopting this, it would be up to date, and all would have to be truthful. He then quoted a section from the Standards of Public Life that stated that 'all people appointed to work in the Civil Service, Local Government' which he believed should equally include Officers of the Council. He also believed that the next part of the Constitution should be reviewed, the Member/Officer Protocol and Relations and updated along the lines of what was being discussed in this Model Code.

The Chairman said that he understood the points raised by Councillor Birt but he did not necessarily agree with the point made about Officers being included as they were paid employees by this authority with terms and conditions of employment that very clearly outlined their responsibilities and behaviours. Councillors were elected and were held accountable by the public and this was why the standards regime was specifically for Members and not Officers and could not support Councillor Birt's points at this stage.

Councillor Monument was pleased with the new proposed Code of Conduct but had a few minor queries, firstly on page 282 of the agenda pack, under the section Standards of Councillor Conduct and felt that point (5) should state 'disrepute' and not dispute. Page 290, 3rd sentence, 'behaviors' should be 'behaviours' and on page 286 paragraph 1.2 she felt that 'maintain public confidence' should come before 'best value'.

The Chairman pointed out that the latter point made was within the Council's current Code of Conduct.

The recommendation to Full Council to adopt the new Model Code of Conduct was read aloud.

The Vice-Chairman proposed an amendment in respect of pre-determination to be included either in the Policy or in the Constitution.

The Legal Services Manager believed that the matter of pre-determination was already covered in the Planning Protocol.

The Chairman asked if this Protocol was already in the Constitution.

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Rory Ringer, the Democratic Services Manager explained that this was a Planning Protocol that had been adopted by Planning Committee and pre-determination formed part of that.

The Chairman asked Officers to provide a report next time about including the Planning Protocol within the Constitution.

Mr Fowler said that this would apply to other quasi-judicial committees such as Licensing.

Taking on Mr Fowlers point, the Chairman said that there was an ask to bring something back to the Committee for consideration.

As a Member of the Planning Committee, Councillor Clarke confirmed that all Planning Members were advised to declare any interest that they might have on a particular item and Mr Horn, the Council's Solicitor was in attendance to advise on the type of interest that should be applied.

The original recommendation stood as originally proposed which was seconded, and it was:

RECOMMENDED to Full Council that the revised Members Code of Conduct based on the Local Government Association Model Code of Conduct be adopted.

The Vice-Chairman stated that this proposal required changes to be made to the Constitution and asked if this would not come into effect until it was included as such.

The Democratic Services Manager advised that if approved at Full Council this Model would come into force following the Elections.

16/23 WORK PROGRAMME (AGENDA ITEM 16)

The Work Programme was noted.

17/23 NEXT MEETING (AGENDA ITEM 17)

The arrangements for the next meeting on Thursday, 22 June at 10am in the Anglia Room were noted.

Before the meeting closed, and as this was the last meeting before the Elections, the Chairman wanted to thank everyone for their support and help over the last 4 years.

The Vice-Chairman felt that as there could possibly be new Members, training should be specifically addressed.

The meeting closed at 11.50 am

CHAIRMAN