

**NORTH DEVON COUNCIL**

Minutes of a meeting of NORTH DEVON COUNCIL held at Crematorium Meeting Room - North Devon Crematorium on Wednesday, 20th October, 2021 at 7.30 pm

PRESENT: Members:

Councillor Tucker (Chair)

Councillors Biederman, Bushell, Fowler, Gubb, Henderson, Jenkins, Lane, Lovering, Orange, Pearson, Phillips, Prowse, Roome, D. Spear, L. Spear, Topps, Turton, Walker, Wilkinson, Worden, Yabsley and York

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive, Solicitor and Data Protection Officer and Head of Governance

**59. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Barker, Campbell, Cann, Chesters, Crabb, Davies, Davis, Hunt, Leaver, Ley, Lofthouse, Luggar, Mack, Mackie, Patrinos, Saxby and Topham.

**60. BUSINESS BROUGHT FORWARD BY OR WITH THE CONSENT OF THE CHAIR**

The Chief Executive addressed the Full Council to say some words of remembrance for our colleague, Andrew Austen, who had recently passed away.

The Leader addressed the Committee and said a prayer, which was followed by a minute of silence and some kind words of remembrance.

The Group leaders, Councillors Prowse, Pearson and Yabsley each spoke and recounted their “thank you’s” for Andrew’s kindness and work ethic in their dealings with him.

All those who spoke recounted that Andrew was seen to be a kind gentleman who will be greatly missed.

**61. DECLARATIONS OF INTEREST**

There were no declarations of interest declared.

62.

**STATEMENT OF ACCOUNTS 2020/21**

(a) **Report by Chief Financial Officer (attached)**

Council considered the Report by the Chief Financial Officer (circulated previously).

The Director of Resources and Deputy Chief Executive advised that:

- The draft accounts would usually be signed off by the 31<sup>st</sup> of July each year, however this had been extended to the 30<sup>th</sup> September. The delay to this now October meeting had been due to the Governance Committee not meeting on the 27<sup>th</sup> September 2021 as planned.
- It was noted that only 9% of Authorities had achieved this by 30<sup>th</sup> September due to additional pressures on the external audit firms and delays with the the Pension Audit.
- An Unqualified opinion had been issued.
- A recommendation concerning transparency of reporting to Members with regards to ongoing projects had been included in the action plan and agreed with management.
- A previous forecast at quarter 3 of a net surplus of £28k had now been increased due to additional funds such as income from planning, increased rental income on Butcher's Row, reduced spend on temporary accommodation and accompanying reductions in costs across the Authority.
- An increased workload on staff was noted and appreciation of the Officers for their efforts and hard work was also noted. The staff were considered a major contributor as to how the Authority remained financially viable.
- £1.2m General fund reserve, and £16.3m earmarked reserves were achieved.
- The earmarked reserves were artificially higher in 2020/2021 due to timing differences in the accounting treatment of Covid business rate relief from Central Government.
- The Authority was in a strong financial position for 2021/2022 year.
- The Medium Term Financial Strategy (MTFS) as approved in February 2021 had predicted a funding gap of £2m.
- The Government's Spending Review was due shortly.
- The net worth on the balance sheet had shown a net decrease on 2019/20 due to an increase in the valuation

of the long term assets, including the value of the new leisure centre build and an increase in the net liability of the pension fund.

- The deficit in the Pension fund was offset by a pension reserve and would be made good by the employees' contributions over their employment period. The value of this fund was reassessed every three years.
- The final opinion on the accounts was due from the Auditors next week (w/c 25<sup>th</sup> October 2021).
- There would be a slight change to the wording on the material uncertainty disclosure due to the valuation and replacement costs of assets. The increase in rebuild costs were due to the prices of building materials. A disclosure note had been added to the accounts in explanation.

Councillor Roome reported the recommendations of the Governance Committee held on 20th October 2021 and advised that the efforts and hard work of the Officers had been the reason for the achievement of a surplus and the level of reserves held. He noted that the recommended level of reserves held were between five and ten percent. North Devon Council had achieved a level of 9.1%.

It was moved by Councillor Roome and seconded by Councillor Walker "that the Statement of Accounts for 2020-21 be approved".

RESOLVED that the Statement of Accounts 2020-21 be approved.

(b) **Annual Governance Statement 2020/21 (attached)**

Council considered the Annual Governance Statement (AGS) for 2020-21 (circulated previously).

The Director of Resources and Deputy Chief Executive advised that:

- The AGS was part of the accounts and has been received by the Governance Committee at their meeting of 20<sup>th</sup> October 2021 (which immediately preceded this meeting).
- The Devon Audit Partnership (DAP) had given an opinion of Reasonable Assurance.
- The Governance Committee, at its meeting on 20th October 2021, had recommended approval.
- A series of recommendations had been presented to the Governance Committee which included items around

Member Training and Code of Conduct, a review of the Corporate Plan Priorities and an update to the procurement strategy.

In response to questions from the Committee, the Director of Resources and Deputy Chief Executive advised that:

- The Corporate Plan was being examined in detail with the Solicitor and Data Protection Officer and
- The Corporate and Community Services team were reviewing the community engagement strategy.

Councillor Roome reported the recommendations of the Governance Committee held on 20th October 2021 and advised that a plan to address the issues raised was already being created.

It was moved by Councillor Roome and seconded by Councillor Jenkins “that the Annual Governance Statement for 2020-21 be approved”.

RESOLVED that the Annual Governance Statement for 2020-21 be approved.

(c) **Letter of Representation on behalf of the Council (attached)**

Council considered the Letter of Representation on behalf of the Council (attached).

The Director of Resources and Deputy Chief Executive advised Council that:

- The Letter of Representation on behalf of the Council was the final part of the Statement of Accounts process and conclusion of the external audit.
- All relevant procedures had been followed and the appropriate representations had been made to Council.

Councillor Roome reported the recommendation of the Governance Committee held on 20th October 2021 was that of approval.

It was moved by Councillor Roome and seconded by Councillor Walker that “that the letter of representation on behalf of the Council be approved and signed by the Chief Financial Officer and the Chairman of the Council”.

RESOLVED that the letter of representation on

behalf of the Council be approved and signed by the Chief Financial Officer and the Chairman of the Council.

**63. APPOINTMENT OF SENIOR SOLICITOR AND MONITORING OFFICER**

The Solicitor and Data Protection Officer (SF) declared an interest and left the meeting for the duration of this agenda item.

The Director of Resources and Deputy Chief Executive addressed the Committee and advised that following the recent recruitment and selection process, internal candidate, Simon Fuller, had been recommended to be appointed to the role of Senior Solicitor and Monitoring Officer by the Appointments Committee.

It was proposed by Councillor Prowse, and seconded by Councillor Pearson “that Simon Fuller be appointed to the position of Senior Solicitor and Monitoring Officer as recommended”.

RESOLVED that Simon Fuller was appointed to the position of Senior Solicitor and Monitoring Officer as recommended.

Chair

The meeting ended at 8.08 pm

NOTE: These minutes will be confirmed as a correct record at the next meeting of Council.