

## **North Devon Council Governance Committee**

Date: March 2024

### **Half Yearly Report of the Chair of Governance Committee**

The last report was presented in September 2023. Since then the Committee has met twice (14<sup>th</sup> November 2023 and 9<sup>th</sup> January 2024). This report summarises those three meetings.

### **25<sup>th</sup> September 2023**

#### **Quarterly Update on Planning Processing Times 2023-24 Quarter 1**

Statutory time limits for applications for planning permissions were set out in the Town and County Planning (Development Management) (England) order 2015 (as amended). The Planning Authority could ask the applicant to consider an agreed extension of time.

The figures for the processing of applications during quarter 1 of 2023/24 were as follows:

- Major applications received (8 applications) average of 49.5 weeks (of those 8, 2 were determined within 16 weeks (25%)).
- Minor applications received (123 applications) average of 16.1 weeks (of those 123, 52 were determined within 8 weeks (42%)).

#### **Attendance at Councillor training**

The current number of councillors who had missed the training sessions were discussed along with the possibility of sanctions for those who had not attended the required training. The Chief Executive advised that he believed that the power to suspend Councillors from attending Full Council had been removed by the Government previously.

#### **Update report on the Conduct of Fraud Investigations**

The Senior Solicitor and Monitoring Officer advised the Committee that there had been no investigations since the last Governance Committee. The Internal Auditor advised that the annual audit would be undertaken later in the year.

## **Polling District and Places Review 2023**

The Head of Governance advised the Committee that the requirement to begin the review on 2nd October 2023 was timed to enable the review to be completed prior to the revised register of electors in February 2024 and the next scheduled elections.

This was not a Community Governance Review, which was a separate process.

Paragraph 2.5 was to make clear the delegated power for urgent changes to polling places.

## **Review of Authority's spend on Agency Staff**

The Director of Resources and Deputy Chief Executive advised the committee:

Agency staff had been used for a number of years in order to cover leave and sickness etc in waste and recycling, and to meet the seasonal change in demand.

- Agency staff was used to maintain core services.
- All Local Authorities were currently experiencing staff shortages and the use of agency staff to cover this need was not solely in North Devon.
- There was a national shortage of HGV drivers and professional staff qualified in specialist roles.
- On average, across the UK, the agency spend for local authorities was approximately 6% of total spend on staff costs (with the maximum being an authority spending 42% of their pay bill on agency staff costs). North Devon was around 5.3% so below the national average.

In response to questions from the Committee, the Director of Resources and Deputy Chief Executive advised: that agency staff did not receive the full amount being paid to an agency to employ them. The cost to the Authority included agency fees and employer National Insurance (NI) costs that the agency would be responsible for.

Under the working time directive there was a requirement to provide annual leave to agency staff 'employed' for a certain period of time.

## **Internal Audit Progress Report 2023-24**

The Committee was advised there were 3 audits reported from the 2023-24 plan (as per appendix 1): Town Centre Management, Homelessness, and Partnerships.

The Head of Internal Audit's Opinion was that of 'Reasonable Assurance' for each of the audits.

In relation to:

- Town Centre Management: the auditor felt that the Green Lanes Centre should be included within more of the Barnstaple initiatives as was seen as an integral part.
- Homelessness: the plans and initiatives were good but members could be briefed more thoroughly.
- Partnerships: annual reviews were recommended.

### **External Audit Progress Report and Sector Update**

Grant Thornton had previously advised that they had not enough staff to enable them to provide a comprehensive coverage of the audit. This had now been rectified and the audit would commence on 2nd October 2023. They planned to have the audit finalised by December 2023 and bring the Audit Findings report to this Committee in January 2024. The Value for Money conclusion would also come to January 2024 committee. The Housing Benefit audit was on track to meet the November 2023 deadline.

### **Local Government and Social Care Ombudsman Letter**

The Committee considered the Local Government and Social Care Ombudsman Letter (circulated previously). This letter contained the summary of complaint statistics for the year ending March 2023, of which only two were upheld.

### **Audit Recommendation Tracker**

Appendix A detailed the 22 live audit reports. 19 recommendations had been completed since the last meeting.

Appendix C detailed six recommendations for which time extensions were being requested. Of these, four would be completed before Christmas.

### **Corporate Risk Register**

The Head of Governance advised the Committee that the executive summary of the report listed the 13 risks. Each was covered within the report with updated notes.

**14th November 2023**

## **Quarterly Update on Planning Processing Times - 2023-24 Quarter 2**

The Committee members were advised:

- Performance statistics and trends had been similar to those of quarter one.
- There had been a reduction in the number of applications being submitted.
- Performance was positive with respect to the demand on the service and level of resources.
- The number of applications where agreed extensions of time were being missed was low.

## **Homelessness and Temporary Accommodation Update**

In recent years there had been approximately 1900 requests made to the service. This was 1900 households, not individuals. This figure comprised of 80% family units, and 20% single-person households.

Recommended strategy moving forward was to maximise the benefit/cost-effectiveness of the current commissioned services by:

- Bringing forward new supply ASAP, and
- Utilising the additional Homelessness Prevention Grant allocation for 2023/24:
  - Base award £0.420m against estimate of £0.396m
  - An additional in year grant amounted to £0.169m

The anticipated outcome would be that all the Temporary accommodation requirements were met, and there would be no requirement to use earmarked homelessness reserves.

The Chief Executive advised that the situation around homelessness was a 'ticking time-bomb' and that some Local Authorities were spending up to a third of their budgets on temporary accommodation. Although there were refugee settlement schemes in place there were reduced numbers of properties available. He stated there were many issues coming together to put further strain on the service and if demand continued to rise it would be difficult to purchase the number of properties required to cover it, and that the housing crisis could not be underplayed

## **Financial Management Code**

The Committee was advised a high level of compliance achieved. Works on the actions were currently in progress. The reviewed Key Performance Indicators (KPIs) had been provided to the Strategy and Resources Committee as part of the Performance and Financial Management report.

## **External Audit - Progress Report and Sector Update**

The External Auditor confirmed the works on the external audit of financial statements were half way through, with no significant issues identified to date.

## **Update to Delegated Powers in the Constitution**

The Committee was advised of Updates to Delegated Powers. The changes would allow officers to act efficiently, and in line with relevant policy and/or law.

The updates included:

- The Chief Executive and Chief Financial Officer to apply and act as a personal licence holder for the North Devon Community Lottery (to be launched in 2024).
- All Heads of Service, and the Chief Financial Officer, to deal with Value Added Tax (VAT) appropriately.
- The Head of Governance to approve funding to applicants of the Keep North Devon Connected (KNDC) Fund.

## **Audit Recommendation Tracker**

The Committee noted the following updates:

- Table A included the live audits.
- Six recommendations had been completed since the last meeting of the Governance Committee

**9th January 2024:**

### **Quarterly Update on Planning Processing Times 2023-24 Quarter 3**

It was noted that there had been an improvement on the figures since quarter two.

The Chief Executive advised that the Government was considering a consultation into the process and the use of extensions. He noted that the most useful figure was that of the average processing time (from application submission to decision) and that he had asked the Planning Team to focus on that. Extensions were only granted with the agreement of the applicants.

### **External Audit - Findings Report 2022-2023**

The External Auditor advised there were no major material audit concerns. They had experienced challenges within their teams, which had resulted in delays with the 2022/23 audits. The audit was now substantially completed subject to a few outstanding queries which included works on land/investment properties valuations. It was hoped that an 'unqualified' opinion would be issued on the accounts.

### **External Audit – Auditor's Annual Report 2022-2023**

The External Auditor confirmed this was the annual report which considered, under the National Audit Officer Code of Practice, whether the Council had put in place proper arrangements to secure economy, efficiency and effectiveness (value for money) in its use of resources. There were four 'Improvement' recommendations. None of those four were in relation to governance.

The External Auditor confirmed the report was a positive read and it was clear to see that NDC had put into place a robust plan to meet challenges presented by inflation levels. In the view of the auditors, the Council had all the arrangements it required and there were deemed to be no weaknesses.

### **Letter of Representation**

The Letter of Representation formally outlined, the governance arrangements in place and the Authority's responsibilities on the financial statements presented. The Letter was presented in advance of the Full Council meeting. The Letter was required as part of the final process for the approval of the Statement of Accounts for 2022/23

## **Appointment of a Co-opted Independent Member**

The Committee agreed the Appointment of a Co-opted Independent Member be recommended to Full Council. The Chief Executive confirmed that any recruitment would be dealt with by the DAP but that any final decision would be made by Full Council.

## **Role of Lead Members**

The Committee agreed (to recommend to Full Council) a draft Lead Member Protocol, which included that Lead Members would:

- Actively contribute to policies, budgets and service delivery for the areas they lead
- Consult and communicate with members, officers and key partners to ensure decisions are well informed and then promoted
- Provide Full Council with an annual report on their work and performance.

## **Internal Audit Progress Report**

The Internal Auditor advised that the Report;

- The audit reports and findings for 2023-24 included Council Tax and NDR (Non-domestic rates), Debt Management, Performance Management, Tarka Leisure Centre – Follow-up, Equality and Diversity – Follow-up, Learning and Development, and North Devon Plus
- The audit for Council Tax and NDR had an assurance opinion of Substantial Assurance, the others were of Reasonable Assurance.
- Noted that North Devon Plus was a good working partnership with Torridge District Council.

## **Polling District and Place Review 2023**

The Head of Governance advised that there were three changes to make members aware of which were:

- Ebrington Arms, Knowle – recent communication indicated that it would be available again for use as a Polling Station.
- South Molton – to be split into 2 Polling Districts

- St Johns Community Centre – This was currently closed to the public due to a leaking roof. It was not known when it would re-open. The situation was being monitored.

### **Relocation Package Policy**

The Committee approved the Relocation Package Policy. It had been revised to meet current regulations, but would be presented to Work-force Matters for final sign-off if approved. It would only be used as-and-when required in order to recruit specific staff, and would only be paid up-to the maximum allowable to cover relocation costs.

### **Audit Recommendation Tracker**

The Committee were advised nine recommendations had been completed since the last meeting

### **Corporate Risk Register**

The Committee considered the Corporate Risk register report. It was confirmed that there were 13 risks identified.

Housing remained the highest risk area for the Council, with unable to meet the temporary accommodation need / increased homelessness. Since the November meeting of the Governance Committee, the Council had completed on a further 6 properties using both the Local Authority Housing Fund and the Council's own Capital Temporary Accommodation budget.

## **LOOKING FORWARD**

### **Governance Survey**

Over the next few weeks, a survey would be issued to all the Governance Committee Members. Its intention being to gauge the effectiveness of this Committee over the previous 12 month as part of the commitment to the Councils constitutional powers and responsibilities of this Committee and striving for best practice. The survey results will be reviewed, and improvements to work of the Committee and its individual Members considered where necessary.



## **Co-Opted Independent Member of the Governance Committee**

Following Full Council approval, the Co-opted Independent Member who is a resident of Northern Devon will commence their valuable role at the March meeting. The Member will sit with elected Councillors bringing an informed and independent perspective to the Committee. Their valuable role carries public responsibility, and the individual will have the opportunity to make a meaningful and positive contribution to the residents of the region and importantly reinforcing its independence.