

**EPPING FOREST DISTRICT COUNCIL
CORPORATE GOVERNANCE GROUP MEETING**

**WEDNESDAY, 12 SEPTEMBER 2007
(9.00 AM - 12.15 PM)**

Present: P Haywood (Chief Executive), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), D Macnab (Deputy Chief Executive) and G Lunnun (Democratic Services Manager)

**Apologies for
Absence:** I Willett (Assistant to the Chief Executive)

Place: P. Haywood's Office, Civic Offices, Epping

7. MINUTES OF THE PREVIOUS MEETING - 27.6.07

Agreed.

8. MATTERS ARISING

None for report.

9. AUDIT AND GOVERNANCE COMMITTEE

(a) Co-optee Seat

Noted that Melanie Rickman had been appointed to the second co-optee seat on the committee following interviews on 29 August 2007.

(b) Meeting on 5 November 2007 - Draft Reports

(i) CIPFA Guidance: Managing the Risk of Fraud

Agreed, subject to amendment of answers in the Appendix in order to expand on the current position rather than simply answering the questions posed.

(ii) Business and Governance Assurance Framework

Agreed, subject to amendment. Corporate Communication Strategy/Consultation Strategy and Partnership Working to be included under the list of policies to be developed in 2007/08.

Agreed that the External Funding Working Party formulate a draft policy in relation to Partnership Working and that the policy comprise a general statement supported by detailed policies regarding requirements in respect of different levels of partnership.

Agreed that a record be maintained of the key policies and procedures listed in paragraph 9 including dates when those procedures and policies were initiated and last reviewed.

Agreed that the six Principles of Good Governance set out in paragraph 6 of the report should be used to ensure a consistent approach to the Council's aspirational

statements made in the numerous documents published by the Council including the Council Plan and the BVPP.

ACTION:

J Akerman to amend reports.

D Macnab to arrange for the External Funding Working Party to consider the formulation of policies in relation to Partnership Working.

T Tidey to note the aims in relation to the six principles of good governance.

T Tidey to maintain record of key policies and procedures including dates initiated and last reviewed.

10. BUSINESS DIRECTORY - UPDATE

Noted that the Complaints Officer had agreed with the complainant's solicitor on 16 July 2007 to keep the offer of £500 open whilst the complainant decided whether or not to accept this amount. As seven weeks had then elapsed without any response a further letter had been sent to the Solicitors advising that unless the complainant accepted the offer within three weeks (i.e. 25 September 2007), the offer would be withdrawn and no further action would be taken by the Council on the complaint.

11. STANDARDS COMMITTEE

(a) Current position on complaints and investigations

Noted that there were no current cases for adjudication or investigation.

(b) Bed and Breakfast Contract - Current Position

Noted that the Cabinet had given authority to the Portfolio Holder for Leisure and Young People to accept a tender or tenders for the Bed and Breakfast Contract. Noted that a Portfolio Holder decision would be prepared after 17 September 2007 if no call-in had been made in relation to the decision by that time.

(c) Planning Protocol

Noted that consultation was being undertaken with Planning Service staff, Parish and Town Councils and Planning Agents in relation to revision of the Protocol. The consultation period would expire on 28 September 2007 following which a report would be made to the Committee.

(d) Local Government Bill/Act

Noted that it was likely that the Bill when enacted would trigger changes to the terms of reference of the Standards Committee, including:

- (i) Local Screening of Complaints; and
- (ii) Responsibility for Politically Restricted Post Appeals by Staff

Noted that when the provisions had been enacted, the Committee would receive a report on the changes to the Constitution which would be required for ultimate submission to the full Council.

(e) Revised Model Code of Conduct

Noted that the Standards Board for England had produced a DVD which used a fictional planning application dispute to illustrate the key changes to the revised model code of conduct. The DVD was to be shown to the Committee at its next meeting.

(f) Independent Member

Noted that one of the independent members on the Committee had applied for a salaried post with the Council. The legislation provided that any person who had served as a councillor or officer in the proceeding five years would be disbarred from being appointed as an independent member but as the legislation and guidance was silent in relation to a Standards Committee member who subsequently became an employee of the same Council. Advice had been sought from the Standards Board.

Noted that the advice received had not been too helpful and had assumed a situation which did not exist. However, in summary the advice appeared to be that it would be best practice for a person who ceased to be eligible as an independent member to resign but there was no legislative requirement to do so.

ACTION:

Review the position of the member if he is appointed to a salaried position on the Council.

12. ANY OTHER BUSINESS

(a) Finance and Performance Management Committee - Report on Risk Management

Agreed subject to not revising the rating in relation to risk number 20 pending commencement of the new Waste Management Contract.

(b) Annual Government Report

Noted that a positive report had been received from the Audit Commission with only one issue raised in relation to the treatment of VAT on the Wickfields transaction.

(c) Internal Audit Investigations

Noted that there did not appear to be any provision in the Constitution enabling an individual member to instruct the commencement of an Internal Audit investigation. Similarly the current terms of reference of the Audit and Governance Committee did not appear to address this issue.

ACTION:

Consider the need for amendment of the terms of reference of the Audit and Governance Committee.

13. DATE FOR FUTURE MEETINGS

Noted that the next meeting would be held on 24 October 2007 at 9.00 a.m. in P Haywood's Office, subject to arrangements to be made in relation to Management Board meetings after 1 October 2007.