

AUDIT COMMITTEE

6.00 P.M.

21ST JANUARY 2009

PRESENT:- Councillors Malcolm Thomas (Chairman), Jon Barry, Abbott Bryning, Roger Dennison, Geoff Knight, Keith Sowden and Rob Smith (Substitute for Councillor Janice Hanson)

Apologies for Absence

Councillor Janice Hanson

Officers in attendance:-

Roger Muckle	Corporate Director (Finance and Performance)
Derek Whiteway	Internal Audit Manager
Debbie Chambers	Principal Democratic Support Officer
Sharon Marsh	Democratic Support Officer

23 MINUTES

The Minutes of the meeting held on 17th November, 2008 were agreed and signed as a correct record.

24 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business authorised by the Chairman.

25 DECLARATIONS OF INTEREST

There were no declarations of interest.

26 CONSTITUTIONAL AMENDMENT – COMPOSITION OF CABINET LIAISON GROUPS

The Principal Democratic Support Officer presented a report to enable the Committee to consider whether each Political Group represented on the Council should have the option to appoint a representative to participate in future Cabinet Liaison Groups.

Members were informed that Cabinet Liaison Groups were purely consultative and not decision-making bodies. Currently, the participants of Liaison Groups were invited to take part by the Chairman.

The Committee felt that the system of appointing Members to Liaison Groups worked well, as participants tended to be invited for their expertise in a particular area. It was thought that smaller groups may not always know when a new Cabinet Liaison Group had been set up as they were not represented on Cabinet. It was therefore requested that the Chief Executive write to all Groups to inform them when a new Cabinet Liaison Group had been set up. This would ensure all Councillors would be able to put themselves forward for a Group they had a particular interest in.

Resolved unanimously:-

- (1) That the existing process of appointing Members to Cabinet Liaison Groups be reaffirmed.
- (2) That the Chief Executive be requested to write to all Political Groups to inform them when a new Cabinet Liaison Group is established.

27 DEMOCRATIC RENEWAL PHASE 2

The Principal Democratic Support Officer presented a report that advised the Committee of opportunities offered by the Local Government and Public Involvement in Health Act 2007, and other governance and democracy issues resulting from the Democratic Renewal Audit and how these opportunities might be taken forward.

Members discussed each topic for consideration individually, as follows:

The Constitution

The Committee recognised that the Constitution was a difficult document to understand, however, a huge amount of work would be required to simplify and clarify the whole document as suggested.

Resolved:-

- (1) That Officers be requested to prepare a further report for the Audit Committee detailing the issues and options with regard to the process for amending and updating the Constitution, the Urgent Business procedure and Special Urgency.
- (2) That the Committee notes the need to simplify and clarify the Constitution document, but recognises the amount of work involved and recommends that this be undertaken at a later stage.

Appointment of Leader

It was noted that, as a requirement of the Local Government and Public Involvement in Health Act 2007, the Council would be required to change its procedure for appointing the Leader to on a 4 yearly basis. This would be effective from the next Council election in 2011.

Byelaws

It was reported that Part 6 of the Local Government and Public Involvement in Health Act 2007 provided that Local Authorities would be able to make certain byelaws and enforce them with fixed penalty notices without agreement from central Government.

Resolved:-

- (3) That the Monitoring Officer be requested to look into the constitutional amendments that would be required to reflect the changes made regarding byelaws.

Petitions

It was noted that a recent White Paper had introduced a duty for Councils to respond to petitions.

Resolved:-

- (4) To recommend to Council Business Committee that a change in procedure rules be made to state that petitions should be passed to Overview and Scrutiny Committee to consider and carry out any inquiry work, as appropriate, before reporting back to Cabinet or the relevant decision-making body.

Council

Members were requested to consider proposals to streamline Full Council meetings, by introducing limits to Councillor question time and moving it to the end of the Agenda. It was also reported that, currently, questions could be asked of Chairmen, or Cabinet Members, concerning areas outside of their remit.

Members discussed these proposals in detail.

Resolved:-

- (5) That Audit Committee recommends that Council Business Committee consider introducing further restrictions on questions from Councillors at Full Council meetings.
- (6) That Officers be requested to prepare a report for submission to the Audit Committee to consider instigating a 'filter' system within the Constitution to allow the Chief Executive to reject questions which fall outside the remit of the Member they are directed to.

Outside Body, Partnerships and Board Appointments

It was noted that outside body representation might benefit from development and active management to improve its effectiveness and that the Council Business Committee would be considering this issue.

Officer Training

It was reported that some officers were having difficulty understanding and operating the decision-making process. It was suggested that an e-learning module on the intranet be produced for use in conjunction with the current training courses already established.

Resolved:-

- (7) That the introduction of an e-learning module be investigated and that other training arrangements continue.

Development of Electronic Decision-Making

It was noted that there were a number of features of the Modern.gov Committee management system that would further improve and help co-ordinate the decision-making process.

Members were informed that paperless meetings of the Council Business Committee had proved a success. Concern was expressed at the standard of laptops and Members were informed that new laptops were being rolled out to all Councillors in the near future.

Members discussed wireless networking but did not feel there was a need to increase the availability of wireless networks to all committee rooms used for meetings.

Resolved:-

- (8) That a report be prepared for Council Business Committee on the further features of the Modern.gov Committee management system.
- (9) That a report be brought back to this Committee on the savings made, feedback received, problems encountered and estimated costs of supplying more laptops.

Neighbourhood Working, Community Leadership and Devolved Decision-Making

Members were informed that Poulton Neighbourhood Management had successfully carried out a Participatory Budgeting pilot in February 2008 and that a report evaluating the event had been presented to Cabinet for its consideration and that a further report would be presented in due course.

It was noted that, under the Local Government and Public Involvement in Health Act 2007, the Council would be able to delegate functions to individual Councillors to make decisions on issues that affect their ward.

It was reported that the Communities in Control White Paper highlighted how the transfer of assets to community uses could help empower communities.

The Committee were also informed that the Local Government and Public Involvement in Health Act 2007 placed great emphasis on supporting Councillors in their role as community leaders and it was noted that Community Leadership had been identified as a priority in the Member Development Strategy for 2007/8-2010/11.

Resolved:-

- (10) That no further action be taken, at this time, with regards to the constitutional aspects of neighbourhood working, community leadership and devolved decision-making.

Town Council and Parish Councils

Members were requested to consider whether any support, training and contact would need to be supplied to the new Morecambe Town Council and whether existing arrangements with Parish Councils should be reviewed. It was noted that there were local and national supporting bodies for Town and Parish Councils.

Resolved:-

- (11) That no further action be taken at this time.

Overview and Scrutiny Development

It was noted that an internal audit had found that the Council had no overarching strategy in place to guide partnership activity and that the Overview and Scrutiny Committee was considering this issue. A report had been presented to the Budget and Performance Panel and actions were being implemented from that report.

Members noted that Officers would be preparing a report to Council on the new Councillor Call for Action requirement in due course. Amendments to the Constitution would be required and a procedure developed following the issue of guidance from the Secretary of State.

Unitary Local Government

It was noted that Unitary Local Government was still part of Council policy. However the Government had indicated that it was unlikely that there would be any further invitations to develop Unitary Government again, within the lifetime of this Parliament.

Members were asked to consider requesting further information on the possibilities offered by the Local Government and Public Involvement in Health Act 2007 for a Local Authority to request the Boundary Commission to change a boundary, abolish a local government area or create a new local government area.

Resolved:-

- (12) That no further action be taken with regard to pursuing Unitary Local Government unless it was likely to be offered by the Government again.

Rationalisation of Bureaucracy

Members were informed that the Council Innovation Forum had suggested that the democratic and decision-making process took too long and was overly complicated.

Resolved:-

- (13) That the comments of the Council Innovation Forum be noted.

Meeting Room Facilities

It was reported that there were a number of problems with the existing meeting room facilities and that information on options for refurbishment had been obtained. However, the current financial situation had led to the growth bid being withdrawn at this stage.

Individual Cabinet Member and Officer Delegated Decisions

Members were informed that it was currently the responsibility of the service to obtain the approval of the Cabinet Member on a report provided by the service and that problems had been caused by this.

It was noted that in comparison to a number of Councils, Lancaster City Council had a low level of delegation to officers.

Resolved:-

- (14) That Democratic Services take over the role of obtaining the approval of the Cabinet Member on all reports for Individual Cabinet Member Decision and inform Services accordingly.
- (15) That officers be requested to prepare a report to Council to assist Members to review the scheme of delegation to officers.

Meetings and Minutes

Members were requested to consider streamlining Committee meetings, how to reduce the length of Committee meetings and whether long meetings such as those held by Cabinet and Planning Committee would benefit from amending start times and/or setting finish times.

Resolved:-

- (16) That Democratic Services be requested to consult with Members of Cabinet and Planning Committee for their views on these issues.

Executive Support and Development

Members noted that needs had been identified to further support Cabinet Members through the provision of dedicated support and further training and development. Political Leadership had been identified in the current Member Development Strategy as a project area to be developed and Officers were investigating how induction and support for Cabinet Members could be improved upon.

28 RESULTS OF INTERNAL AUDIT WORK

The Internal Audit Manager presented a report that informed the Committee of the results of the Internal Audit work for the period.

It was noted that the first substantial assurance level had been awarded to Public Health and Safety.

Members were informed that Housing Rents (debt control) had remained at a limited assurance level and it was suggested that if improvements had not been made before the next meeting, based on the actions proposed, that the relevant Officer be invited to attend to explain why the assurance level had not increased. The same was applicable for Income Tax and National Insurance 2007/08 (Expenses and Benefits).

Resolved:-

- (1) That the report be noted.

- (2) That, if the follow up audit to Housing Rents (debit control) and Income Tax and National Insurance 2007/08 (Expenses and Benefits) does not improve the assurance level, the relevant Officers be requested to attend the next meeting of the Audit Committee to explain why.

Chairman

(The meeting ended at 7.38 p.m.)

**Any queries regarding these Minutes, please contact
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