

## Audit and Governance Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 13 September 2023
Present	Councillors Liz Grant, Anita Jones (In place of James Butcher), Adrian Lockwood, Liz McShane (Chair) and John Wing
Apologies for Absence	Councillor James Butcher and Councillor David Wimble Andy Vanburen, Independent Member
Officers Present:	Ewan Green (Director of Strategy and Resources), Adrian Hammond (Housing Lead Specialist), Amandeep Khroud (Assistant Director), Ola Owolabi (Chief Financial Services Officer), Mr Chris Parker (Deputy Head of Audit), Susan Priest (Chief Executive) and Jemma West (Democratic Services Senior Specialist)

### 11. **Declarations of Interest**

Councillors Lockwood and Wing both made OSI declarations in respect of Minute No 16 (Application for Dispensations under the Code of Conduct for Directors of Oportunitas) in that they were directors on the Board of Oportunitas. They indicated that they would move to the public gallery during consideration of this item.

### 12. **Minutes**

The minutes of the meeting held on 20 July 2023 were submitted, approved and signed by the Chairman.

### 13. **Polling District and Polling Station review**

The Democratic Services and Elections Lead Specialist gave a presentation (appended to the minutes) setting out details around the polling district and station review.

Members asked various questions including the following:

- Would the consultation take place on-line and in the civic centre?

- How would the consultation be promoted?
- When would the parliamentary boundary alterations take place, and would they affect district elections?
- How would the consultation be communicated to older people? Would it be included in Your District Today Magazine, and communicated to town and parish councils?

The Democratic Services and Elections Lead Specialist responded to points raised and made points including the following:

- The consultation would include an on-line form and there would also be copies of a paper form at the civic centre. People could also submit responses by writing a letter to the elections team. All methods of input would be accepted and welcomed.
- The consultation would be promoted using various channels on social media and on the website. There would also be hard copy notices put on community noticeboards. All councillors would be advised and encouraged to make the consultation known.
- The parliamentary boundary alteration, although due to come into effect from 1 November 2023, would not be applied *before* the next general election, meaning it would not affect any by-elections in the meantime. There was no impact on district election boundaries.
- Independent Living Advisors, other responsible officers, and community groups would all be advised of the consultation, and it could be sent to parish and town clerks in order for them to print the consultation forms.

The Committee Members noted the presentation.

#### 14. **Corporate Risk Register Update**

The report summarised changes to the Corporate Risk Register since it was last reported to A&G in March 2023.

The Chair expressed concern that the Risk Register had not been provided to Members until the day prior to the meeting and officers apologised for the delay which was due to the significant review undertaken.

A Member noted that Risk C2 relating to Otterpool Park had previously been reported as high risk, but had now been altered to extreme. Planning permission had been granted in April, so why had the risk been increased?

The Chief Executive advised that the project was large and complex and there were ongoing negotiations in terms of the remaining planning requirements including the S106 agreements, and a number of landowners were involved. A report would soon be brought before the Overview and Scrutiny Committee and Cabinet giving an update on the Otterpool Park delivery plan setting out the delivery and financing requirements for the coming period.

A Member asked for clarity on the situation with the accounts, in respect of the Princes Parade matters outstanding. The Chief Financial Services Officer

advised that the Auditors were set to conclude investigations soon and expected the accounts would be signed off by the end of October 2023.

Proposed by Councillor Jones,  
Seconded by Councillor Wing; and

**RESOLVED:**

1. That report AuG/23/12 be received and noted.
2. That the Audit and Governance Committee regularly review the Corporate Risk Register to consider progress made against agreed actions, and consider the key risks faced by the organisation.

(Voting figures: 5 for, 0 against, 0 abstentions).

**15. Response to the Local Government Ombudsman**

The report advised that Mr and Mrs J raised a complaint through the Local Government Ombudsman (LGO) as they believed the Council had incorrectly processed their Housing Waiting List Application. Whilst the LGO confirmed the Council has correctly processed the housing application, it has also stated that it is unhappy with the way the Council's officers initially responded to their enquiries. The report set out the action taken by the Council to address the concerns raised by the LGO.

A Member asked when the training would be completed and if the Committee would be provided with an update. The Housing Lead Specialist advised that the training for all staff involved with complaints was about to commence and was expected to be completed by the end of the year. He stated he would provide an update to the Committee.

Proposed by Councillor Wing,  
Seconded by Councillor Grant; and

**RESOLVED:**

1. That report AuG/23/11 be received and noted.
2. That the action the Housing Service has taken in respect of responses made to enquiries from the Local Government Ombudsman be noted.

(Voting figures: 5 for, 0 against, 0 abstentions).

**16. Application for Dispensations under the Code of Conduct for Directors of Oportunitas**

The report considered the application for dispensations under the Code of Conduct for Councillors to speak and vote by Councillors who are also directors of Oportunitas. The recommendation was that the dispensations be granted.

Councillors Lockwood and Wing moved to the public gallery during the consideration of this item and did not take part in the vote.

Proposed by Councillor Grant,  
Seconded by Councillor Jones; and

**RESOLVED:**

- 1 That report no AuG/23/09 be received and noted.**
- 2 That dispensations be granted under the code of conduct and under section 33 Localism Act 2011 to Councillors Butcher, Goddard, Lockwood and Wing to allow them to speak and vote at meetings where company affairs are discussed;**
- 3 That the dispensations be time limited to 6 May 2027;**
- 4. That in the event of a change of directors the Monitoring Officer be authorised to consider applications for and grant dispensations to any Councillor who becomes a director of Oportunitas on the same terms provided that the Councillor concerned is not a Member of the Cabinet and the dispensation is time limited in the same way.**

(Voting figures: 3 for, 0 against, 0 abstentions).

**17. Extension of Term of Independent Persons**

Under S 28(7) Localism Act 2011 and the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 the council must appoint an Independent Person to fulfil the functions set out in the Act and regulation. This report recommends that the term of present independent persons (Chris Harman, David Carter and Ken London) be extended for a further four year period to 18 December 2027.

Proposed by Councillor Lockwood,  
Seconded by Councillor Jones; and

**RESOLVED:**

- 1. That report AuG/23/12 be received and noted.**
- 2. That the term of the three Independent Persons be extended until 18 December 2027 under the provisions of the S 27 (7) Localism Act 2011 and the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.**

(Voting figures: 5 for, 0 against, 0 abstentions).

**18. Quarterly Internal Audit report from the Head of East Kent Audit Partnership**

The report included the summary of the work of the East Kent Audit Partnership (EKAP) since the last Audit and Governance Committee meeting together with details of the performance of the EKAP to the 30<sup>th</sup> June 2023.

Proposed by Councillor Wing,  
Seconded by Councillor Jones; and

A Member queried if the authority was paying for work that was not being done while the review was taking place. The Audit Manager responded to advise that this would be checked as the work continues. The Director of Place added that this related to the application of the contract management. He assured that the service was being provided, but the monitoring of the standard appeared to be weak. The action plan agreed will address the concerns raised, and will be the focus for the next six months. The Chief Executive added that the report was hugely disappointing, and she had asked Director colleagues to be thorough in their management response, and to have senior level conversations with DDC about the quality of the contract management so that assurances can be given that the service was up to standard, and where it didn't, penalties were being appropriately applied.

A Member asked about the partnership with Dover in terms of the number of sites which had been audited? With it being a Dover led contract, was there a risk that Dover sites were prioritised. It was noted that the service from Veolia in terms of the waste contract was very good.

The Audit Manager stated that he did not have this information to hand but would make this information available to the Committee after the meeting.

**RESOLVED:**

- 1. That report AuG/23/13 be received and noted.**
- 2. That the results of the work carried out by the East Kent Audit Partnership be noted.**

(Voting figures: 5 for, 0 against, 0 abstentions).

**19. Change of Governance Arrangements**

The report introduced the steps necessary to implement the decision of Council of 21<sup>st</sup> June 2023 to change its governance arrangements from a Leader and Cabinet executive form of governance to a committee system as of the Annual Meeting of Council to be held May 2024.

The Assistant Director of Governance and Law outlined the report and drew particularly attention to the creation of a page on the council's website which would set out the project detail as it progressed.

Members commented on various aspects of the report, and made points including the following:

- How was the new webpage being promoted?
- How would people who did not use technology keep up to date with the changes?

The Assistant Director of Governance and Law advised that there had been some communications around the governance changes, such as social media posts, but that she would work with the communications team to ensure the page was actively promoted. She also added that she would ensure that progress was fed back to parish and town clerks, and would seek to provide information in the council's Your District Today publication.

Proposed by Councillor Lockwood,  
Seconded by Councillor Jones; and

**RESOLVED:**

- 1) **That the Committee endorse the terms of reference of the Constitution Working Group, attached as Appendix A, and task the Group with overseeing the:**
  - (a) **Consideration of possible structures for a committee system of governance, with preference given to a streamlined style of arrangements; and**
  - (b) **Drafting of a revised Constitution in sufficient time to be adopted for the 2024/25 municipal year; and**
- 2) **That the Monitoring Officer be given delegated authority to:**
  - (a) **Provide such resources as she in her opinion considers necessary to support the work of the Constitution Working Group.**
  - (b) **Undertake due consultation and engagement in respect of the proposed revised governance arrangements of the Council; and**
  - (c) **Produce a revised constitution for the Committee and Council's consideration by March 2024.**

(Voting figures: 5 for, 0 against, 0 abstentions).

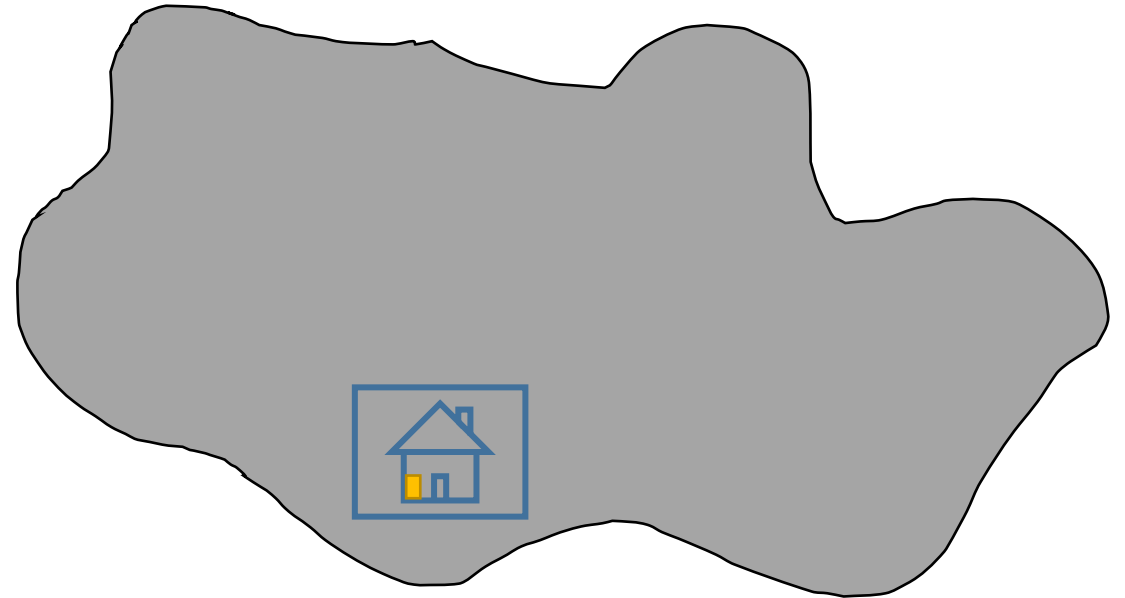
# Review of Polling Districts, Places & Stations 2023

Paul Butler  
Democratic Services and Elections Lead Specialist

# Legal requirement

Commitment to review current set up of:

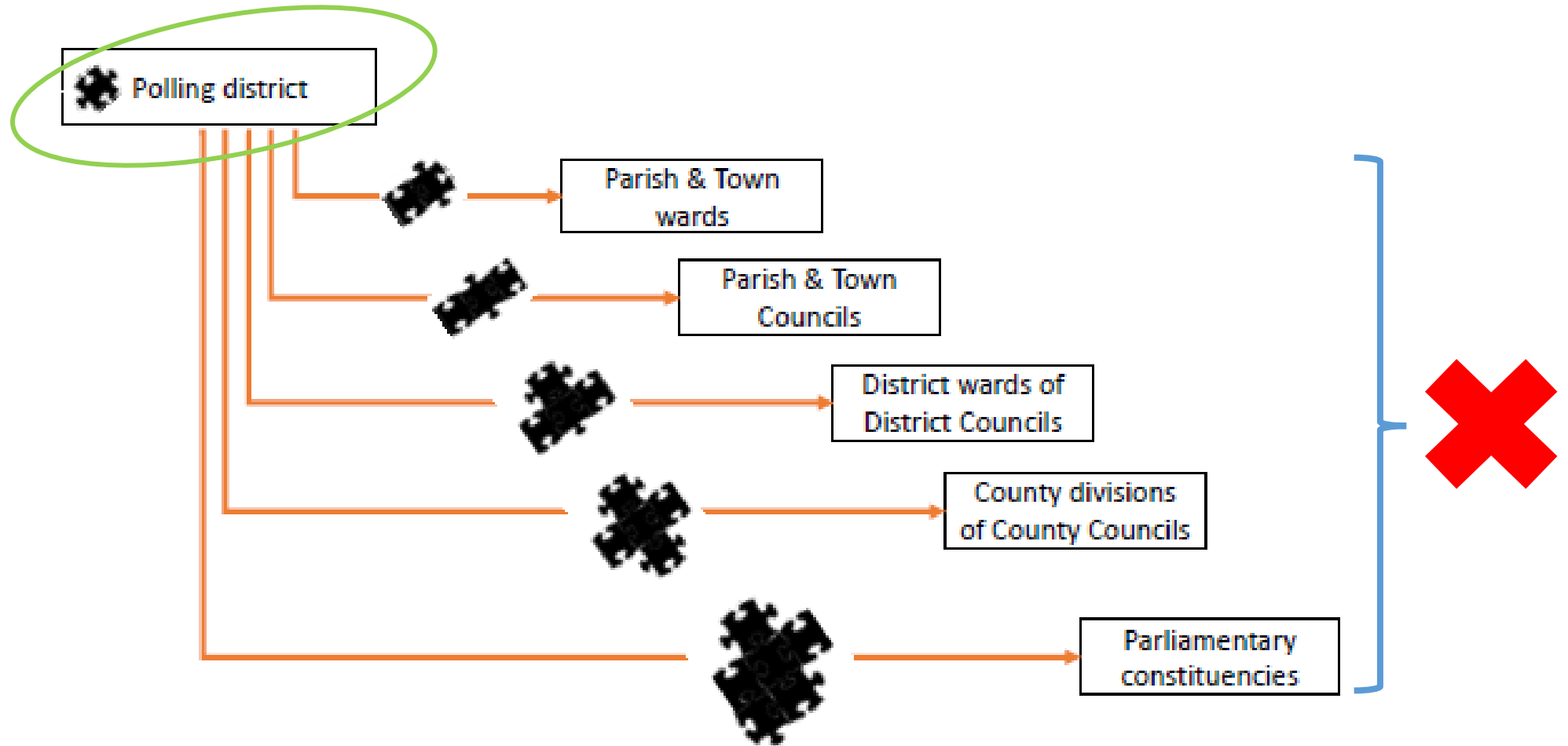
- Polling Districts
- Polling Places
- Polling Stations
  - Suitability
  - Feedback
  - Arrangements at the venue





# Polling Districts

Page 9



# Timetable

<b>Notice of Review published &amp; start of consultation</b>	02 October 2023
<b>Submission of Comments on ARO statement deadline</b>	17 November 2023
<b>Submission of Representation deadline</b>	17 November 2023
<b>Proposals submitted to Audit &amp; Governance Committee</b>	06 December 2023
<b>Recommendations reported to Full Council</b>	24 January 2024
<b>Revised Electoral Register published with changes</b>	01 February 2024

# District review progress

## Pre-requisite work:

- Training
- Internal officer working group
- Reviewing current districts, places / stations
- What is in scope / out of scope
- Planning developments / electorate increases
- Contacts (Groups, ARO's, members etc.)

# What is left to do...?

- Publish notices with documents
- Consultation period
- ARO Statements
- Write to interested parties
- Collate all evidence and representations
- Finalise recommendations
- A&G Report
- Full Council
- Implement any changes for **01 Feb 24**

# Review conclusion

- Recommendations & correspondence published
- New maps drawn (if needed)
- Notice of conclusion
- Appeals / Electoral Commission

# Complexities

- Statutory review period **01 October 2023** until **31 January 2025**
- Must be completed before the next UK General Election
- Elections Act 22 – Tranche 2 implementation
- Police and Crime Commissioner Election - **May 2024**
- New Parliamentary boundaries from **01 November 2023\***

# Questions?

This page is intentionally left blank