

Corporate Governance and Audit Committee

Wednesday, 27th September, 2006

PRESENT: Councillor A Carter in the Chair
Councillors D Blackburn, R Finnigan,
E Minkin and K Wakefield

Co-optee Mike Wilkinson

IN ATTENDANCE: Councillor S Smith (Substitute for
Councillor Harris)

Apologies Councillor M Harris

20 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents in accordance with Procedure Rule 25 of the Access to Information Procedure Rules.

21 Exclusion of Public

There were no resolutions to exclude the public.

22 Late Items

The Clerk advised Members of one late item – a report regarding the external auditor's report on the Council's Statement of Accounts.

The Chair indicated that, in accordance with his powers under the Local Government Act 1972, he had agreed to accept for inclusion on the agenda one Late Item (Minute 35). The report in question was not available at the time of agenda despatch and required urgent consideration for the following reason:- the requirement for the Accounts to be received by the Committee by 30th September 2006.

23 Declaration of Interests

Councillor Carter declared a personal and prejudicial in the item relating to Abbey Mills and St Ann's Mills (Minute 37) on the basis that he was supporting officers in a complaint to the Standards Board with regard to an individual member and he wished to avoid any perception that consideration of this report may be influenced by that fact.

24 Minutes

Draft minutes to be approved at the meeting
to be held on Wednesday, 29th November, 2006

RESOLVED – That the minutes of the meeting of the Corporate Governance and Audit Committee held on the 29th June be approved as a correct record.

25 Minutes of the Standards Committee

RESOLVED - That the minutes of the Standards Committee meeting held on the 8th June 2006 be noted.

26 Local Government Ombudsman's Annual Letter

The Chief Customer Services Officer submitted a report regarding the receipt of the annual letter from the Local Government Ombudsman.

The Deputy Local Government Ombudsman attended the meeting, as did officers from various relevant departments, in order to respond to questions from Members.

Members discussed what mechanisms are in place to ensure senior officers are aware of complaints to ensure that lessons are learned from complaints to the Ombudsman.

RESOLVED – Members resolved to note the Annual Letter.

27 Local Government Ombudsman Performance Report

The Chief Customer Services Officer submitted a report updating Members on complaints received from the Local Government Ombudsman for the period March to June 2006.

Members noted that the number of reports in relation to key departments (Development and Education Leeds) which have previously been high are declining, although more work needs to be done.

RESOLVED - Member resolved to note the performance information and issues raised within the report.

28 The development of corporate consultation and engagement

The Chief Officer (Executive Support) submitted a report updating Members on the development of a more corporate approach to consultation and engagement.

Members discussed the importance of ensuring that the Parish and Town Councils are considered in consultation exercises.

RESOLVED – Members resolved:

- to note the progress made on the coordination of consultation and engagement to date; and

- to request a report to the next meeting of the Committee providing more detail regarding the toolkit that has been developed to support consultation and engagement, prior to this being approved by the Executive Board.

29 Ethical Audit 2006/7

The Director of Legal and Democratic Services submitted a report informing Members of the launch of the ethical audit.

Members commented on the significance of the ethical audit and particularly on the importance of ensuring that the Parish and Town Councillors receive the same support on ethical matters as is enjoyed by Members of the City Council.

Members also commented on the value of the 'fraud triangle', presented to attendees at the launch of the ethical audit, which demonstrated that when pressure/motive, perceived opportunity and rationalisation are present many individuals will commit fraud.

RESOLVED – Members resolved to:

- note the contents of the report;
- support the ethical survey; and
- receive further updates from the Standards Committee on the outcome of the survey.

30 Housing Benefits Security

The Director of Corporate Services submitted a report providing information on the steps taken by Leeds Benefits Services (LBS) to secure the benefit system against fraud and error.

Members particularly discussed the issue of tax credits and the difficulties involved in sharing information between all those bodies / organisations which provide benefits.

RESOLVED – Members resolved to note the report.

31 Payments for Void Beds for Residential and Nursing Care

The Director of Corporate Services submitted a report advising Members of the key issues arising regarding the payment for void beds for residential and nursing care as detailed in the Annual Internal Audit Report for 2005/6.

RESOLVED – Members resolved to:

- note the report; and
- request a report to the Executive Board regarding the policy options and implications of booking beds for residential and nursing care.

32 Delivering Successful Change

The Director of Corporate Services submitted a report outlining the progress made by the Delivering Successful Change (DSC) project in developing proposals for a consistent corporate approach to the management of the Council's major projects and programmes.

Members discussed how the proposals deal with the involvement of private sector and other partners in certain projects and how this may affect the appropriate membership of project and programme boards.

RESOLVED – Members resolved to:

- note the progress of the project, in particular the completion of the Project Management Methodology and the piloting of the programme management approach in Children's Services: and
- receive further updates on a quarterly basis.

33 Amendment to Council Procedure Rules

The Director of Legal and Democratic Services submitted a report proposing minor amendments to the Council Procedure Rules with regard to the speaking rights of the Support Executive Member (Children's Services) in Council meetings, and in relation to deputation requests which relate to live licensing matters.

RESOLVED – Members resolved to recommend to Council the following amendments to the Council Procedure Rules.

- That Council Procedure Rule 14.5(a) be amended by the addition of the following words:

“That in instances where there are two Executive portfolio holders within a single portfolio, the Support Executive Member shall be allowed to sum up in respect of his/her part of the portfolio for a period not exceeding ten minutes, immediately prior to the Lead Executive Member exercising his/her right to sum up”

- That Council Procedure Rule 10.4.3 be amended to the following effect.

“Representations relating to matters subject to current consideration by a Plans Panel, the Licensing Committee or a sub-committee thereof shall be restricted to those allowed under the Protocol for Public Speaking at Plans Panels or the Licensing Committee Procedure Rules and shall not be allowed as deputations to Council. In cases of doubt the Director of Legal and Democratic Services may require written details of the proposed deputation speech prior to the determination of the request.”

34 Amendment to Article 4 - The Budget and Policy Framework

The Director of Legal and Democratic Services submitted a report outlining a proposed change to the Council's Budget and Policy Framework due to an

amendment to schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

RESOLVED – Members resolved to recommend to Council that Article 4 of the Constitution is amended at paragraph 4.1(i) to include the ‘Licensing Authority Policy Statement’.

35 External Audit - Audit Memorandum Accounts 2005/6

The Director of Corporate Services submitted a report presenting to Members the external auditor’s report on the 2005/6 accounts and informing Members of any amendments to the approved accounts which have been made with, or required by, the Councils auditors.

Members expressed their appreciation that the Council had completed the accounts within the new deadline and that the accounts contained no material errors.

Members also noted the auditors comment that the Authority has proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources.

RESOLVED – Members resolved:

- to receive the report of the Council’s external auditors on the 2005/6 accounts and to note that a number of amendments have been made to the 2005/6 Statement of Accounts as agreed with the external auditors; and
- that the Chair should sign the management representation letter on behalf of the Corporate Governance and Audit Committee.

36 Work Programme

The Director of Legal and Democratic Services submitted a report notifying Members of the updated work programme and seeking comments from the Committee regarding any additional items.

RESOLVED – Members resolved to:

- note the updated work programme; and
- request a report to a future meeting of the Committee regarding a review of the training received by Members on planning issues, after that report has been received by the Standards Committee.

37 Abbey and St Ann’s Mills Audit Report

The Directors of Corporate Services and Development submitted a joint report informing Members of their response to an external audit (KPMG) report which reviewed the accuracy of an Executive Board report regarding Abbey Mill and St Ann’s Mill.

Councillor Carter, the Chair of the Committee, left the room due to declaring a personal and prejudicial interest in the item. The Chair was taken by Councillor Steve Smith.

The Chair acknowledged a request by Councillor Illingworth to speak at and produce evidence to the meeting and explained his reasons for refusing the request.

RESOLVED – Members resolved:

- to note the report;
- to request that officers carry out a review of the process for clearing reports for Executive Board, in line with the external auditor's recommendation; and
- that officers ensure that in future Executive Board reports where a Discounted Cash Flow (DCF) is used, it is made clear to Members that the outcome of the DCF can differ depending on the assumptions used to carry out the exercise (as per paragraph 3.3 of the report).