

Time commenced - 6.00 pm
Time finished - 9.27 pm

COUNCIL MEETING 7 JULY 2010

Present: The Mayor (Councillor Nath) (in the Chair)
Councillors Allen, Ashburner, Atwal, Banwait, Barker, Bayliss, Bolton, Carr, Chera, Davis, Dhindsa, Graves, Grimadell, Harwood, Hickson, Higginbottom, Holmes, Hussain, Ingall, Jackson, Jennings, F Khan, S Khan, Lowe, Marshall, Naitta, Poulter, Radford, Rawson, Redfern, Repton, Richards, Roberts, Shanker, Skelton, Troup, Tuplin, Turner, Webb, Whitby, Williams, Williamson, F Winter, L Winter, Wood

Apologies for Absence

Apologies for absence were received from Councillors Batey, Berry, Hird, Jones and Leeming.

Declarations of Interest

Councillor Williams declared a personal and prejudicial interest in Item 9 – Council Cabinet minutes of the 8 June and 6 July 2010 – on the basis that a close family member had applied for a post with the Council.

Announcements from the Mayor – Urgent Items

The Mayor stated that, in accordance with Rule CP39(r), he proposed to add the following urgent items to the agenda:

- (1) Item 9 – Additional minutes of the Council Cabinet relating to:
 - Accommodation Strategy
 - Revenue Budget – Establishment and Vacancy Control.

These reports had been circulated to all Members with the Council Cabinet papers. The Mayor stated that the reason for the urgency was that these matters required Council approval but had only been considered by the Council Cabinet the previous evening.

- (2) Item 9 (a) – Appointment of Council Cabinet Member for Adult Social Care and Health.

The Mayor stated that the reason for the urgency was that Councillor Hickson had recently been appointed Chair of the Derbyshire Police Authority and had decided to

relinquish his Cabinet post. The appointment of a replacement could not wait until the next Council meeting.

The Mayor congratulated Councillor Hickson on being appointed Chair of the Derbyshire Police Authority.

28/10 Order of Business

Resolved, on the motion of the Right Worshipful the Mayor (Councillor Nath), to vary the order of business so that Item 13 was taken after Item 14(1), as it would be superseded if the motion at Item 14(1) was passed.

29/10 Minutes of the Previous Meetings

Resolved that the minutes of the Annual Meeting of the Council held on 26 May 2010 be approved as a correct record, confirmed and signed by the Mayor.

30/10 Statements by Members of the Council Cabinet

The following statements were made by members of the Council Cabinet:

1. By Councillor Holmes, Deputy Leader of the Council and Council Cabinet Member for Planning and Environment concerning the abolition of regional planned housing targets. Councillors Dhindsa and Troup responded.
2. By Councillor Grimadell, Council Cabinet Member for Leisure and Culture, concerning a new library in Chaddesden ward. Councillors Bolton and Naitta responded.
3. By Councillor Poulter, Council Cabinet Member for Neighbourhoods concerning Morledge improvements. Councillor Carr responded.

31/10 Public Questions

Questions from members of the public were asked as follows:

1. By Simon Bacon, concerning Sinfin Lane Biodiversity Review, answered by Councillor Holmes, Deputy Leader of the Council and Council Cabinet Member for Planning and Environment.
2. By Dorothy Skrytek, concerning the use of barristers in relation to the Planning Appeal for the Sinfin Waste Treatment Plant, answered by Councillor Wood, Chair of the Planning Control Committee.

3. By Colin Underhill, concerning institutional graffiti, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
4. By Colin Underhill, concerning London Plane trees, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.

Dorothy Skrytek withdrew a question relating to the public open day for the Sinfen Waste Treatment Plant Planning Appeal.

32/10 Written Questions about the Business or Functions of Derbyshire Police Authority, Derbyshire Fire Authority or Derby Homes Ltd

There were no written questions about the business or functions of the Derbyshire Police Authority, Derbyshire Fire Authority or Derby Homes Ltd.

33/10 Written Questions from Non-Council Cabinet Members

Written questions from Non-Council Cabinet Members to Members of Council Cabinet or Committee Chairs were asked as follows:

1. By Councillor Whitby, concerning the refurbishment of Prince Charles Avenue District Centre, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
2. By Councillor L Winter, concerning the Ring Road bus service to the Royal Hospital, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
3. By Councillor Bayliss, concerning the Phase 3 works on Alvaston District Centre, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
4. By Councillor Bolton, concerning the Building Schools for the Future Programme, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
5. By Councillor Bolton, concerning Surestart Children's Centre Projects in Derby, answered by Councillor Williams, Council Cabinet Member for Children and Young People.
6. By Councillor Allen, concerning Academy School Status applications, answered by Councillor Williams, Council Cabinet Member for Children and Young People.

7. By Councillor Rawson, concerning insurance, MOT certificates and driving licence checks for employees claiming business mileage, answered by Councillor Marshall, Council Cabinet Member for Resources.
8. By Councillor Rawson, concerning the Single Status Pay Review and Job Evaluation, answered by Councillor Marshall, Council Cabinet Member for Resources.
9. By Councillor Bolton, concerning Chaddesden Library, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
10. By Councillor Redfern, concerning Exeter House, answered by Councillor Ingall, Council Cabinet Member for Housing and Advice.
11. By Councillor Banwait, concerning toilet facilities for frontline workers, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
12. By Councillor Banwait, concerning discussions between frontline workers and Cabinet Members, answered by Councillor Holmes, Deputy Leader of the Council and Council Cabinet Member for Planning and Environment.
13. By Councillor Naitta, concerning Moorways Swimming Pool, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
14. By Councillor Graves, concerning Derby Big Screen, answered by Councillor Grimadell, Council Cabinet Member for Leisure and Culture.
15. By Councillor Shanker, concerning permanent travellers' sites, answered by Ingall, Council Cabinet Member for Housing and Advice.
16. By Councillor Turner, concerning the Waste Management Contract, answered by Councillor Poulter, Council Cabinet Member for Neighbourhoods.
17. By Councillor Shanker, concerning Sinfin Lane Waste Treatment Plant, answered by Councillor Jennings, Leader of the Council.

34/10 Minutes and Recommendations of the Council Cabinet

The Council considered the minutes and recommendations of the Council Cabinet, requiring the approval of the Council, set out in Appendix A to these minutes.

The Council consented to a proposal by Councillor Jennings, Leader of the Council, that paragraph 1 of the recommendation in Minute No. 27/10 of the Council Cabinet (Revenue Budget – Establishment and Vacancy Control) be amended by the deletion of the words “below tier three”.

Resolved, on the motion of Councillor Jennings, to approve the minutes and recommendations of the Council Cabinet dated 8 June and 6 July 2010, as amended.

35/10 Appointment of Council Cabinet Member for Adult Social Care and Health

Resolved, on the motion of Councillor Jennings, that Councillor Webb be appointed Council Cabinet Member for Adult Social Care and Health in place of Councillor Hickson for the remainder of the current municipal year.

36/10 Minutes and Recommendations of the Audit and Accounts Committee

The Council considered the minutes and recommendations of the Audit and Accounts Committee, requiring the approval of the Council set out in Appendix B to these minutes.

Resolved, on the motion of Councillor Ashburner, to approve the minutes and recommendations of the Audit and Accounts Committee dated 24 June 2010.

37/10 Governance

The Council considered a report of the Strategic Director of Resources on Governance.

It was moved by Councillor Jennings, and seconded:

1. That Council determines, in principle, whether it wishes to adopt either:
 - a leader and cabinet, or
 - a directly elected mayor and cabinetmodel of executive arrangements and authorises appropriate consultation with the public and stakeholders.
2. That Council decides whether it wishes to consult appropriate persons over a move to whole Council elections from May 2011.
3. That a special Governance Committee, comprising the Leaders and Deputy Leaders of each political group, and chaired by the Leader of the Council, be established to agree consultation arrangements and oversee the process leading to final decisions.

4. That a special meeting of the Council be held on 15 December 2010 to take final decisions on the matters referred to in paragraphs 1. and 2.
5. That Council determines that, in the light of the outcomes of the review of neighbourhood management, approved by the Council Cabinet on 16 March 2010, there is no need for a Community Governance Review.

The Council consented to a proposal by Councillor Jennings to alter the motion as follows:

- by the deletion of the words :

paragraph 1 – 'whether', 'either', 'or', 'a directly elected mayor and cabinet'

paragraph 2 – 'decides whether it wishes to consult appropriate persons over'

paragraph 3 – 'final decisions'

paragraph 4 – 'final decisions on the matters referred to in paragraphs 1. and 2.'

- and by the insertion of the words :

paragraph 1 – 'that'

paragraph 2 – 'will not'

paragraph 3 – 'the final decision on the Council's future executive arrangements'

paragraph 4 - 'the final decision on the Council's future executive arrangements'

Resolved:

1. **That Council determines, in principle, that it wishes to adopt a leader and cabinet model of executive arrangements and authorises appropriate consultation with the public and stakeholders.**
2. **That Council will not move to whole Council elections from May 2011.**
3. **That a special Governance Committee, comprising the Leaders and Deputy Leaders of each political group, and chaired by the Leader of the Council, be established to agree consultation arrangements and oversee the process leading to the final decision on the Council's future executive arrangements.**
4. **That a special meeting of the Council be held on 15 December 2010 to take the final decision on the Council's future executive arrangements.**
5. **That Council determines that, in the light of the outcomes of the review of neighbourhood management, approved by the Council Cabinet on 16 March 2010, there is no need for a Community Governance Review.**

38/10 Annual Report of the Standards Committee 2009/10

The Council considered the Annual Report of the Standards Committee for 2009/10. Mr Philip Sunderland, Chair of the Standards Committee, presented the report.

Resolved, on the motion of the Right Worshipful the Mayor (Councillor Nath), to receive the Annual Report of the Standards Committee for the 2009/10 municipal year.

39/10 Notice of Motion Deferred from the May 2010 Meeting

Overview and Scrutiny Commission Structure

It was moved by Councillor Carr, and seconded, that Council recognises the need for its overview and scrutiny function to be able to scrutinise service delivery effectively. To this end Council resolves that the overview and scrutiny commission structure be amended to reflect the new departmental structure by providing for five commissions in total, with one commission per strategic directorate (with the Scrutiny Management Commission taking responsibility for the Chief Executive's Office), and that the Monitoring Officer be instructed to amend the Council's Constitution and committee appointment list accordingly.

It was moved by Councillor Shanker, and seconded, that the motion be amended by the substitution of the word "six" for the word "five" in the second sentence and the insertion of the words "and the retention of the Climate Change Commission to maintain focus on this vitally important issue" between the words "Chief Executive's Office)" and "and".

The amendment was put to the meeting and lost.

Resolved that Council recognises the need for its overview and scrutiny function to be able to scrutinise service delivery effectively. To this end Council resolves that the overview and scrutiny commission structure be amended to reflect the new departmental structure by providing for five commissions in total, with one commission per strategic directorate (with the Scrutiny Management Commission taking responsibility for the Chief Executive's Office), and that the Monitoring Officer be instructed to amend the Council's Constitution and committee appointment list accordingly.

As a consequence of the Council passing the above resolution the Council made fresh appointments to Scrutiny Commissions.

Resolved to make the following appointments to Scrutiny Commissions for the remainder of the current municipal year:

	Conservative	Labour	Liberal Democrat	Independent
Scrutiny Management	Barker Davis Harwood		Carr * F Khan	
Children and Young People	Berry Davis Radford		F Winter * Tuplin	
Adults, Health and Housing	Chera Leeming Radford		Skelton * Lowe	
Neighbourhoods	Barker Berry Harwood		Batey * Troup	Graves
Resources	Chera Davis Leeming		Naitta * Atwal	

* Chair

Note: Councillor Bayliss stated that the Labour Group nominations would be submitted to the Director of Legal and Democratic Services the following week.

40/10 Notices of Motion Submitted for this Meeting

1. *Dog Fouling*

Resolved, on the motion of Councillor Banwait, that dog fouling incidents and complaints are on the increase across Derby. Since dog fouling is a form of Anti-Social Behaviour, as it is an environmental and health hazard, Council therefore calls upon the Cabinet member to organise a city wide campaign to remind dog owners of their responsibilities and provide additional resources to the dog wardens to carry out enforcement in problem areas of the city.

2. *Private Sector Consultants*

It was moved by Councillor Banwait, and seconded, that in May a Con-Dem government was formed committed to making significant cuts in public spending that will impact on front line services and jobs. The council has also historically been a well-run authority providing high quality services with the lowest Council Tax in the region. Council is therefore concerned about the Conservative Group's proposals of spending £1.2 million of tax payers money to pay private sector consultants to help the council save money when senior council officers are paid a considerable salary to manage the council's finances. Council therefore calls upon Cabinet to scrap this proposal and instead instruct council officers to implement the savings themselves in order to save the Tax Payers money and avoid financial mismanagement.

The motion was put to the meeting and lost.

3. *Big Screen*

It was moved by Councillor Shanker, and seconded, that Council acknowledges the public support for the recent petition calling on the Council to show England's current World Cup matches on the "Big Screen" in the Market Place. Council therefore calls on the Conservative Cabinet to guarantee future screenings of England's International tournaments on the Big Screen especially the forthcoming European Championships.

It was moved by Councillor Carr, and seconded, that the motion be amended by the deletion of the words "Council therefore calls on the Conservative Cabinet to guarantee future screening of England's International tournaments on the Big Screen especially the forthcoming European Championships" and the insertion of the words "Council also acknowledges the very real concerns that the Police have voiced about the cost and difficulties of policing such an event. Council therefore calls on the Cabinet to liaise with the Police to devise a strategy that will allow future major sporting occasions to be safely screened in the Market Place at reasonable cost".

The amendment was put to the meeting and carried.

Resolved that Council acknowledges the public support for the recent petition calling on the Council to show England's current world cup matches on the "Big Screen" in the Market Place.

Council also acknowledges the very real concerns that the Police have voiced about the cost and difficulties of controlling such an event. Council therefore calls on the Cabinet to liaise with the Police to devise a strategy that will allow future major sporting occasions to be safely screened in the Market Place at reasonable cost.

MAYOR

MINUTES OF COUNCIL CABINET REQUIRING THE APPROVAL OF COUNCIL

COUNCIL CABINET 8 JUNE 2010

Present: Councillor Jennings (Chair)
Councillors Grimadell, Hickson, Holmes, Ingall, Marshall,
Poulter and Williams

In attendance Councillor Bayliss and Jones

This record of decisions was published on 10 June 2010. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

Contract and Financial Procedure Matters

12/10 Contract and Financial Procedure Matters Report

The Council Cabinet considered a report on Contract and Financial Procedure matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under contract and financial procedure rules:

- changes to the capital programme
- use of corporate revenue reserves
- approve an increase in the Crematorium's mercury abatement charge
- to approve changes to the Scheme for Funding Schools
- to approve a waiver of Contract Procedure Rules, Competition Requirements and Contract Extensions
- to note additional grant allocations and approve increases in departmental revenue budgets
- to approve a modification to the Council's investment strategy
- to note the effect of public sector spending cuts announced by Government.

Decision

1. To approve and note the following changes in relation to the capital programme:
 - to approve the changes detailed in Appendix 2 of the report and to amend the 2010/11 – 2012/13 capital programme

- to note the revised capital programme and associated funding detailed in Table 1 for 2010/11 at paragraph 3.1 of the report
- to recommend to Council the approval of the additional borrowing requirement for the Nottingham Road Cemetery path improvement scheme, as set out in paragraph 3.5 and in 2012/13 for the BSF highways scheme as set out in paragraph 4 of the report
- to note the additional £62,000 grant from English Heritage towards the building frontage enhancement scheme in the city centre and the reallocation of £62,000 match funding required from the Public Realm Contingency Fund as detailed in paragraph 3.6 of the report
- to approve scheme commencements for the schemes in the capital programme detailed in Appendix 3 of the report.

2. ...

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COUNCIL CABINET

6 JULY 2010

Present: Councillor Jennings (Chair)
Councillors Grimadell, Hickson, Holmes, Ingall, Marshall,
Poulter and Williams

In attendance Councillor Bayliss and Jones

This record of decisions was published on 8 July 2010. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

24/10 Accommodation Strategy

The Council Cabinet considered a report on Accommodation Strategy. The report gave details of the current design proposals for the refurbishment and extension of the Council House to meet all of the central customer service, office and civic accommodation needs of the Council and provides an updated budget estimate for the whole scheme including decant costs.

The Council Cabinet also considered a report of the Scrutiny Management Commission setting out the views of the Commission.

The Commission resolved to make these recommendations to Cabinet.

1. To note that significant changes were made to the architects' designs since a presentation to the Conservation Area Advisory Committee, so it is important to understand that the plans shown to the SMC have not been endorsed by CAAC. However, CAAC will have another formal opportunity to consider the final proposals as part of the planning application process.
2. The *general* aim of the scheme should be to maximise the building and its surroundings for community use.
3. The *specific* wish is to open up the river frontage, possibly including a patio linked to the planned café and available for hire, for events like weddings, which could be an income generator. However, the Council should only proceed with opening up the river frontage if that is compatible with building security.
4. Members believed the presentation need to show more details and images of the Council Chamber including size, space layout and the provision of ICT. There is a need for Members to be able to see and fully discuss the options for the Chamber.

Options Considered

Options for alternative accommodation for both the main administrative functions and decant space had been detailed in previous reports.

Decisions

1. To recommend to Council approval of the design proposals and proceeding with the detailed design and tender for the scheme.
2. To approve scheme commencement of the alteration and refurbishment of the decant space at Albion Street and Heritage Gate in preparation for staff moving out of the Council House later this year.
3. To recommend to Council approval of the £1.3m additional unsupported borrowing as detailed in Appendix 1 of the report.
4. To approve the revised capital and revenue budgets, as detailed in Appendix 1 of the report.
5. To approve the budget transfer of £1.4m from the corporate cost / inflation contingency budget to the Accommodation Strategy revenue budget 2010/11.

Reasons

1. After a full options appraisal, the refurbishment of the Council House was the most cost effective and fit for purpose option of meeting the Council's accommodation needs for the next 50 years and would realise the following benefits...
 - the modernisation and retention of a landmark city centre building
 - a much improved, open plan and spacious customer service area that matches our customers' needs
 - a building fully accessible for people with disabilities
 - the optimised usage of space by changing the ways we work including maximising the use of desks, computers and telephones known as 'Derby Workstyle'. This would significantly reduce the amount of office space we needed with consequent working, cost and energy efficiencies
 - greatly improve the staff and Member working environment
 - contribute significantly towards the Council's commitment to tackling climate change by reducing its carbon footprint
 - remove the maintenance backlog for administrative buildings which had been a financial burden on the Council's budgets for many years
 - release St Mary's Gate to allow the regeneration of the St George's quarter in line with Cityscape's master plan proposals
 - release Roman House for disposal and save the current leasing costs paid by the Council for other accommodation at Heritage Gate and elsewhere within the city centre

- contribute significantly to the delivery of the Council's transformation change programme – 'one Derby one council' savings.
2. Given the extent of the proposed refurbishment, it would not be possible to occupy the Council House whilst work was carried out and all Members, staff and customer services would relocate into decant space within the city centre. The decant was being carefully planned so there would be minimum inconvenience for our employees and customers.

27/10 Revenue Budget – Establishment and Vacancy Control

The Council Cabinet considered a report which stated that since the introduction of the Vacancy Control Process in March this year, the Transformation Team has received 200 posts for approval. Nearly all of these posts have been approved although around 75% have only been approved on a fixed-term contract basis.

It was proposed that with immediate effect we implement a vacancy freeze on all external recruitment below tier 3 (with the exception of a small number of posts which will form an Exemption List). This would enable posts to be filled by internal candidates but would ensure that we were not expanding our workforce during this time of austerity. The Vacancy Control Process would determine whether posts should be filled or not filled, or whether they should be frozen or deleted.

A revised Establishment and Vacancy Control Process was set out in Appendix B of the report and a flowchart outlining the process was set out in Appendix C of the report.

It was noted that this revised process starts from when a vacancy occurs and not from when a Manager decided whether or not the vacancy needs to be filled i.e. the new process covers all posts including those to be deleted, requests to fill the post either through internal recruitment, external recruitment (for posts on the approved Exemption List) or filled by agency staff.

It is acknowledged that there would be some posts e.g. Social Workers where an internal recruitment process is unlikely to be successful. It was therefore proposed that a small Exemption List – which had been approved by Chief Officer Group – is used. The approved Exemption List was attached at Appendix D of the report.

Where a decision was taken to delete a post and remove the budget, the saving would be recorded as a contribution to the 'one Derby, one council' savings targets- see paragraphs 3.10 – 3.16 of the report. The criteria being used to determine whether or not to fill or delete a post should be used when making changes to structures through Delegated Functions Reports.

It was also proposed that this new Vacancy Control System would also be used for the appointment of any Agency Workers and Consultants. The Council's annual

spend on agency workers had increased to £3million and there was a need to ensure that this does not increase any further.

Based on information available within the Vision system, there were currently around 800 vacant posts. To prevent the budget held for vacant posts being used for other purposes, a review was required of all existing vacancies to decide if each vacancy should remain or be deleted. The general principle to be applied, for both a review of existing vacancies and the control process for new vacancies going forward, was that where vacancies were deleted the budget should be removed to prevent it being spent. The permanent budget saving would be taken as a 'one Derby, one council' budget saving in 2010/11, but only after the directorate had delivered against its 2010/11 'turnover' savings target provision. More detail on how the budget removal process will work was included in the Vacancy Control Process set out at Appendix B of the report.

No transfers would be allowed from salary budgets to non salary budgets. This meant that salary budgets would no longer be available to fund non pay budget pressures within services. The exception to this would be where services were outsourced.

The process would also apply to posts funded from the HRA, Schools Budget, Trading Services and external funding, All other savings would be taken as General Fund savings. The treatment in each case would be as follows...

- In relation to HRA and Schools budget posts, the saving would remain within the ringfenced services.
- Any saving on specific grant funded posts would deliver a saving against the grant to reinvest in the service area the grant supports to deliver the required outcomes of the funding stream.
- Trading Services savings would contribute to the delivery of the budgeted surplus to the General Fund.

Where a vacant post was deleted as part of a planned budget saving, already included in the approved 2010/11 to 2012/13 revenue budget, the budget saving would in these circumstances remain within the Directorate to realise the budgeted saving.

A turnover provision had been applied to all salaries budgets resulting in the amount held in the budget being less than the actual cost of the full establishment. The percentage applied differed from one directorate to another, the average being 5%. Directorates would often hold posts vacant to help meet the budgeted turnover provision. A review would take place by Heads of Finance during July to determine the budgeted provision for each Directorate and the current shortfall in 2010/11. It was proposed that the first call on the in-year budget savings in 2010/11 from the deletion of posts would be to meet the shortfall in the turnover provision, and then all further savings would be taken as 'one Derby, one council' savings. However, the full budget saving in the base from 2011/12 would be removed as a 'one Derby, one council' saving.

There may be cases where a post was currently being held vacant against plans for a restructure of a service area for 4th tier and below, where a 4th tier growth bid was

not submitted on the basis that the budget for the vacant post would be available to the service. In these instances, the vacancy control process would apply and a business case would need to be made for the new structure/new post and the use of the budget from a vacant post. Only where a new post/structure was approved through the establishment control process requiring the budget from a vacant post, as part of the funding package, would the budget remain with the service. If a post was currently being held vacant on this basis, but the restructure had not yet been completed, the budget should be removed but held as a directorate pay budget saving pending the finalisation of structures by the October 2010 deadline. At that point any budget saving not taken to fund an approved structure/new post would be removed and taken as a 'one Derby, one council' saving.

To continue to monitor and review vacancies and posts in the future it was essential that the Vision system was kept up to date. The revised Vacancy Control Process would be used on an on-going basis to identify any further posts for deletion as well as to help to keep records up-to-date.

Decision

To recommend Council to

1. Agree that with immediate effect we implement a vacancy freeze on all external recruitment below tier 3 with the exception of a small number of posts which will form an Exemption List.
2. Agree that the new Establishment and Vacancy Control Process outlined in Appendix B of the report is implemented with immediate effect.
3. Agree that a full review of the 800 vacancies currently listed on the Vision System should be completed as soon as possible.
4. Agree that this new process is included in the Savings and Realisation Policy.

Councillor Williams having declared a personal and prejudicial interest in the above item left the meeting during the discussion and voting thereon.

MINUTES OF AUDIT AND ACCOUNTS COMMITTEE
REQUIRING THE APPROVAL OF COUNCIL

AUDIT AND ACCOUNTS COMMITTEE 24 JUNE 2010

Present: Councillor Ashburner – Chair
Councillors Chera, Davis, Harwood, Roberts and Troup

12/10 Audit and Accounts Committee – Changes to Terms of Reference

The committee considered a report which stated that Council agreed to establish an Audit and Accounts Committee on 20 July 2005. The Terms of Reference were approved by Council as part of that decision. They were last reviewed in 2006 and proposed changes were agreed by Committee at its meeting on 28 September 2006 for forwarding to full Council for approval. The revised Terms of Reference were approved by Council on 22 November 2006

As part of the self-assessment of the effectiveness of the Audit and Accounts Committee, the current terms of reference have been compared to the Chartered Institute of Public Finance and Accountancy (CIPFA) suggested Terms of Reference and a gap analysis produced, this is set out in Appendix 2 of the report.

This alignment of the current terms of reference with the CIPFA guidance shows a number of areas where there is no specific responsibility detailed in the terms of reference. In the majority of cases the responsibility is being carried out by Committee although it is not formally included in the Terms of Reference. The responsibilities in the CIPFA guidance that are not defined in the current terms of reference are:

- To consider reports dealing with the management and performance of the providers of internal audit services.
The service is provided by the Council's internal audit team and although not specifically detailed as a responsibility it has been covered through the receiving of quarterly updates on Internal Audit progress and in the Head of Audit and Risk Management's annual opinion report.
- To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.

This responsibility is not specifically detailed in the current terms of reference, but Committee receives a quarterly report on the progress of implementation of internal recommendations.

- To consider specific reports as agreed with the external auditor.
Committee receives relevant reports produced by External Auditor.
- To comment on the scope and depth of external audit work and to ensure it gives value for money.
This responsibility has been undertaken when considering External Audit's audit plan.
- To liaise with the Audit Commission over the appointment of the council's external auditor.
- To commission work from internal and external audit.
Committee has on a couple of occasions made requests to internal audit for specific areas of work to be carried out and reported back
- **To review any issue referred to it by the chief executive or a director, or any council body.**
Items are referred to committee for consideration and review as necessary by the Strategic Director – Resources.

There are responsibilities specific to the Council that have been delegated to this Committee that are not reflected in CIPFA guidance. The key one is the Independent Remuneration Panel on Members Allowances

To adhere to best practice, the Terms of Reference have been re-written based on the CIPFA guidance, and were shown in Appendix 3 of the report.

Resolved to recommend Council to approve the proposed amendments to the Audit and Accounts Committee's terms of reference set out in appendix 3 of the report, subject to the amendment of the word 'review' to read 'approve' in item 16 of the terms of reference.