COUNCIL

Monday 19 September 2016

7.30 pm
Council Chamber
South Norfolk House, Cygnet Court, Long Stratton, Norwich, NR15 2XE

Mr G Wheatley – Chairman of the Council
Mr B Duffin – Vice-Chairman of the Council

If you have any special requirements in order to attend this meeting, please let us know in advance
Large print version can be made available

This meeting may be filmed, recorded or photographed by the public; however anyone who wishes to do so must inform the Chairman and ensure it is done in a non-disruptive and public manner. Please review the Council’s guidance on filming and recording meetings available in the meeting room.

<table>
<thead>
<tr>
<th>Group Meetings</th>
<th>Location</th>
<th>Time</th>
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<tbody>
<tr>
<td>Conservatives</td>
<td>Cavell &amp; Colman Rooms</td>
<td>6.00pm</td>
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<tr>
<td>Liberal Democrats</td>
<td>Blomefield Room</td>
<td>6.30 pm</td>
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</tbody>
</table>

Contact: Claire White on 01508 533669 or democracy@s-norfolk.gov.uk
Agenda

1. Apologies for Absence

2. Urgent Items:

   Any items of business which the Chairman decides should be considered as matters of urgency pursuant to Section 100 B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]

3. To Receive Declarations of Interest from Members

   (please see guidance – page 5)

4. To confirm the minutes of the meeting of the Council held on Thursday 30 June 2016

   (attached – page 6)

5. Chairman’s Announcements

   (engagements attached – page 13)

6. To consider any petitions received under Section I of the “Rights of the Public at Meetings”

   Petition Received: “Stand Against Hate” (Amnesty International Diss Group)

   “We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Our Council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate crimes to become acceptable.

   We will work to ensure that local bodies and programmes have the support and the resources they need to fight and prevent racism and xenophobia.

   We reassure all people living in the area that they are valued members of our community”
7. Recommendations from the Cabinet;

PLEASE REFER TO YOUR CABINET PAPERS FOR THE MEETING HELD ON 12 SEPTEMBER 2016

Any recommendations arising from the Cabinet meeting held on 12 September, will be forwarded to members separately.

8. Appointment of External Auditors

(report attached – page 14)

9. Annual Report on Standards Activity

(report attached – page 21)

10. Questions to Chairmen and Portfolio Holders;

To take questions from Councillors and the Public

Note: Time allocated to be at the discretion of the Chairman. No notice is required of questions, however it may be necessary for written answers to be provided where an immediate response cannot be supplied. If members choose to submit questions in writing in advance, they will be circulated before the meeting.

a. Cabinet

Please click here to view the most recent Cabinet minutes available

Questions to the Leader and other Cabinet members

<table>
<thead>
<tr>
<th>John Fuller</th>
<th>Leader, The Economy and External Affairs</th>
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<tr>
<td>Michael Edney</td>
<td>Deputy Leader, Finance and Resources</td>
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<tr>
<td>Yvonne Bendle</td>
<td>Wellbeing and Early Intervention</td>
</tr>
<tr>
<td>Lee Hornby</td>
<td>Regulation and Public Safety</td>
</tr>
<tr>
<td>Clayton Hudson</td>
<td>Stronger Communities and Leisure</td>
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<tr>
<td>Kay Mason Billig</td>
<td>Environment and Recycling</td>
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</table>
b. **Scrutiny Committee - Questions to the Chairman**

Please [click here](#) to view the most recent Scrutiny minutes available.

c. **Licensing Appeals and Complaints Committee / Licensing and Gambling Acts Committee – Questions to the Chairman;**

Please [click here](#) to view the most recent Licensing minutes available.

d. **Development Management Committee – Questions to the Chairman**

Please [click here](#) to view the most recent Development Management Committee minutes available.

e. **Electoral Arrangements Review Committee – Questions to the Chairman**

(report attached – page 29)

Please [click here](#) to view the most recent Electoral Arrangements Review Committee minutes.

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11. **Outside Bodies – Feedback from Representatives:**

(no reports received)

12. **To consider any correspondence**
DECLARATIONS OF INTEREST AT MEETINGS

Members are asked to declare any interests they have in the meeting. Members are required to identify the nature of the interest and the agenda item to which it relates.

- In the case of other interests, the member may speak and vote on the matter.
- If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed.
- If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting.
- Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

- In any case, members have the right to remove themselves from the meeting or the voting if they consider, in the circumstances, it is appropriate to do so.

Should Members have any concerns relating to interests they have, they are encouraged to contact the Monitoring Officer (or Deputy) or another member of the Democratic Services Team in advance of the meeting.
COUNCIL

Minutes of a meeting of South Norfolk District Council held at South Norfolk House, Long Stratton on Thursday 30 June 2016 at 7.00 pm

Members Present: Councillors, Wheatley (Chairman), Duffin (Vice-Chairman), Amis, Bernard, Bills, Broome, Dale, Dewsbury, Easton, Edney, Ellis, Foulger, Fuller, Goldson, Gould, Gray Hardy, L Hornby, Hudson, C Kemp, W Kemp, Kiddie, Larner, Legg, Lewis, Mason-Billig, Minshull, Mooney, Neal, Palmer, Riches, J Savage, Stone, Thomson, J Wilby, M Wilby and Worsley

Apologies: Councillors, Bell, Bendle, Blundell Fulcher, J Hornby, Overton, Pond, R Savage and Thomas

Officers in Attendance: The Director of Business Development (D Lorimer), the Director of Growth and Localism (T Horspole), the Director of Community Services (P Boyce), and the Monitoring Officer (L Mickleborough).

3345 URGENT ITEMS

The Chairman agreed that due to the timeframes concerned, Cllr C Kemp should be permitted to update Council on the Local Government Boundary Commission Electoral Review of South Norfolk Council.

Cllr Kemp informed Council that the Local Government Boundary Commission had agreed that the number of members for South Norfolk should be retained at 46. The next stage in the process would involve the re-drawing of ward boundaries, to ensure that each councillor represented approximately the same number of electors, whilst ensuring that the pattern of wards reflected the interests and identities of local communities. This was part of a consultation process which would end on 5 September, involving the Council, members of the public and other interested parties. Cllr Kemp suggested that as the Chairman of the Electoral Arrangements Review Committee (EARC), he should meet with Cllrs J Fuller and T Lewis, to draw up a number of options, before presenting them to the EARC in the latter half of August. Having formed a view, the EARC would need to then send its submission to the Boundary Commission, before the deadline of 5 September. He stressed that all members were invited to participate in the consultation process and to attend the EARC meeting in August. Both he and Cllr T Lewis were concerned at the
short timescales involved, during what was traditionally the holiday period, and he would therefore be writing to the Boundary Commission to ask for an extension to the consultation period.

Cllr T Lewis expressed his satisfaction with the proposed arrangements. Members noted that should the Boundary Commission grant an extension to the consultation period, and should timescales allow, the EARC’s proposals would be reported to the next meeting of the Council.

3345 MINUTES

The minutes of the meeting held Monday 23 May were confirmed as a correct record and signed by the Chairman.

3346 CHAIRMAN’S ANNOUNCEMENTS

The Chairman was sorry to report the death of former councillor Arthur Cook. Mr Cook had served as a councillor between 1973 and 1991 and represented the Council as Chairman between 1984 and 1988, serving on numerous committees including Finance and Planning. He was appointed Honorary Alderman of South Norfolk Council in 2010.

Cllr M Dewsbury explained that she had been elected on to Mr Cook’s seat, after he had stood down as councillor in 1991. She knew that Mr Cook had been very well respected by residents in the area he had represented.

Council then stood and observed a minute’s silence in Mr Cook’s memory.

The Chairman informed members that he had chosen two charities to support his theme of “inclusiveness”. Firstly, the Break charity, which supported vulnerable young people from a whole range of different backgrounds, and also the Nook Appeal, which was raising funds to provide a new hospice for children in Norfolk.

3347 RECOMMENDATIONS FROM THE CABINET

(i) Performance, Risks and Revenue Budget Position Report for the Financial Year 2015/16

Cllr M Edney presented the recommendations of the Cabinet to members.
Cllr T Lewis raised concerns with regard to the valuation of land sold to Big Sky Developments at Maple Park, an issue which he had noted whilst examining the Council’s draft accounts for the year, at a recent meeting of the Finance, Resources, Audit and Governance (FRAG) Committee. Cllr Edney had provided an explanation; however, Cllr Lewis still felt that further investigation was required to ensure that future expectations on sales and lettings were realistic. He suggested that this be added as an additional resolution of the Council.

Cllr J Fuller explained that Cllr Lewis was referring to land that had been re-categorised as stock, resulting in a revaluation by an independent valuer. The land had been sold to Big Sky Developments at the full market value determined by the valuer. The Chairman suggested that Cllr Lewis should, if he still felt it necessary, raise the issue at the next meeting of the FRAG Committee.

It was unanimously

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<thead>
<tr>
<th>RESOLVED:</th>
<th>To Approve:</th>
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<tr>
<td></td>
<td>a) the budget virements which exceed £100,000 in accordance with the rules of financial governance;</td>
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<td>b) the slippage requests totalling £720,281;</td>
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<td></td>
<td>c) the movements in reserves as outlined in Section 8 of the report.</td>
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(ii) Capital Provisional Outturn Report 2015/16

Cllr M Edney outlined the recommendations arising from the Cabinet meeting held 13 June 2016.

It was unanimously

<table>
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<tr>
<th>RESOLVED:</th>
<th>To Approve:</th>
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<tr>
<td></td>
<td>a) the slippage requests summarised in 3.1 of the report.</td>
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<td></td>
<td>b) the amended Capital programme and its financing for the next five financial years as set out in Appendices B and C of the report.</td>
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(iii) Treasury Management Annual Report 2015/16

Cllr M Edney outlined the recommendations arising from the Cabinet meeting held 13 June 2016.

It was unanimously
RESOLVED:  

To  

(a) Approve the 2015/16 prudential indicators for the quarter;  
(b) Note the treasury activity in quarter four and that it complies with the agreed strategy

3348 NORFOLK AND SUFFOLK DEVOLUTION AGREEMENT

The Director of Business Development explained that it was the recommendation of officers that members considered the report and recommendations without regard to the decisions made by other local authorities.

Cllr J Fuller advised Council that he had been informed that despite the decisions of some local authorities to reject the Devolution Deal, the Government intended to proceed with the process.

Cllr Fuller then explained that the Deal was an opportunity to secure funds and generate growth in the local area, whilst improving the quality of life for residents. The transfer of significant resources and powers would not only boost the local economy, creating more jobs and improving skills and employment prospects of residents, but would also bring with it the necessary infrastructure and housing through an integrated approach in the wider area. He made reference to the benefits that devolution would bring to the area, referring to the location of the Waveney Valley, and the much needed Long Stratton bypass.

Referring to the recent debate at the Scrutiny Committee, he acknowledged that there were still some concerns over governance arrangements but these could be resolved as the Deal progressed.

Cllr Lewis had felt the debate at the Scrutiny meeting to be helpful and he reminded members that the public consultation might still influence the decision of Government and the contents of the Deal. Whilst respecting the recommendations of officers, he did however feel, that the decisions to reject the Deal, already made by three Norfolk authorities, could not be ignored. With local authorities choosing to opt out, he could not envisage how the deal could effectively operate and he regretfully could no longer view the approach as a sensible arrangement. He advised Council that he could no longer support the recommendations.

Cllr L Neal referred to the recommendations of the Scrutiny Committee, tabled at the meeting, and she stressed the importance of a consistent consultation process.

Cllr C Kemp also expressed his support for the recommendations, and he agreed that members should have no regard to the decisions made by other local authorities, when considering the report.

As member for the Harleston ward, which lay on the Norfolk/Suffolk border, Cllr J Savage felt it was his duty to vote in favour of the recommendations, in support of an integrated and joined up approach across the two counties.
Cllr K Billig stressed that the Council was not beholden on the decisions made by other local authorities, and she urged members to make a decision based on what was best for the residents of South Norfolk.

Summing up, Cllr Fuller stressed that the Deal was not about the carving up of powers, but about more investments to build the economy. This was a one off opportunity to inject considerable funding in to the area, and he urged members to support the recommendations of the report.

It was unanimously

| RESOLVED: | To agree to remove the right for Councillors to undertake a suspensive call-in with respect to the decisions of the Cabinet as outlined in paragraphs 7.2.1 to 7.2.8 of the report. |

With 35 votes for, 1 against and with 1 abstention, it was

<table>
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<tr>
<th>RESOLVED:</th>
<th>1. To agree</th>
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<tr>
<td>a) To endorse the signing of the Norfolk and Suffolk Devolution Agreement by the Leader.</td>
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<td>b) That, on the basis of the Governance Review, and having regard to any impact on equalities explored in the Equalities Impact Assessment (EqIA) attached, the establishment of a Mayoral Combined Authority for Norfolk and Suffolk is the option which most fully permits the effective discharge of the functions that Government is prepared to devolve to this area.</td>
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<tr>
<td>c) To support the publication of the draft Scheme for a Norfolk and Suffolk Mayoral Combined Authority as attached to this report for consultation purposes, subject to such final revisions as may be approved by the Chief Executive in consultation with the Leader, and prior to the commencement of the formal consultation exercise. Such formal consultation, on the Scheme, to commence once all Norfolk and Suffolk Councils have considered the matters in this report and, in any event, no later than the 4 July 2016. In the event that a Constituent Authority named in the attached Scheme does not agree to endorse the Deal Agreement and/or the Scheme, Cabinet authorises the Chief Executive, in consultation with the Leader, to agree the relevant changes to be made to the Deal Agreement, the Scheme and the Governance Review to reflect that Authority's non-participation.</td>
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<td>d) That the outcome of the consultation exercise is submitted to the Secretary of the State by the Chief Executive in consultation with the Leader, by 9 September.</td>
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e) That Council meets by 28 October 2016 to consider giving consent (or endorsing Cabinet to give consent) to an Order establishing a Mayoral Combined Authority for Norfolk and Suffolk.

f) Insofar as any of the matters referred to in this report concern the discharge of functions ancillary to the endorsing and signing of the Norfolk and Suffolk Devolution Agreement and the publication of the Scheme, authority is delegated to the Chief Executive in consultation with the Leader, to take all necessary steps and actions to progress the recommendations detailed in this report.

g) In the event that any technical changes are required to reflect legislative requirements and the contents of the Deal Agreement, authority is delegated to the Chief Executive in agreement with the other Chief Executives across Norfolk and Suffolk to make the necessary changes to the Scheme.

h) That further reports are presented to the Council as appropriate as the Devolution process develops.

3348 QUESTIONs TO CHAIRMEN AND PORTFOLIO HOLDERS

a) Cabinet

There were no questions put to Cabinet members.

b) Chairman of the Scrutiny Committee

There were no questions put to the Chairman of the Scrutiny Committee.

c) Chairman of the Licensing Committee

There were no questions put to the Chairman of the Licensing Committee.

d) Development Management Committee

There were no questions put to the Chairman of the Development Management Committee.
3344 OUTSIDE BODIES – FEEDBACK FROM REPRESENTATIVES

There was no feedback to report with regard to the Council’s outside bodies.

(The meeting concluded at 7.50 p.m.)

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Chairman
<table>
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<tr>
<th>Date</th>
<th>Event</th>
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<tr>
<td>1 July</td>
<td>Service</td>
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<td></td>
<td>A service held at the funeral of past Chairman Arthur Cook.</td>
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<td>2 July</td>
<td>Street Procession and Celebrations</td>
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<td>A procession through the streets of Norwich, led by the Lord Mayor and Sheriff of Norwich as part of the annual celebrations.</td>
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<td>3 July</td>
<td>Charity Fun Day</td>
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<td>A fun day put on by Wymondham Rugby Club in aid of the EACH Nook Appeal.</td>
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<td>3 July</td>
<td>Civic Service</td>
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<td>A service held at Norwich Cathedral and hosted by the Dean of Norwich and HM Lord-Lieutenant to celebrate volunteering.</td>
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<td>13 July</td>
<td>Civic Reception</td>
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<td>The annual reception hosted by the Mayor of Great Yarmouth, held at The Boathouse in Ormesby St Michael.</td>
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<tr>
<td>26 July</td>
<td>Official Opening</td>
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<td>The official opening of the Jenny Lind play area at the Norfolk &amp; Norwich University Hospital.</td>
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<td>27 July</td>
<td>Exhibition</td>
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<td></td>
<td>An exhibition by the Caistor Roman Project as part of the Festival of Archaeology.</td>
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<tr>
<td>2 September</td>
<td>Children’s Outdoor Theatre</td>
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<td>A South Norfolk Council event, as part of South Norfolk on Tour.</td>
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<tr>
<td>9 September</td>
<td>Civic Reception</td>
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<tr>
<td></td>
<td>The annual reception hosted by the Chairman of North Norfolk District Council, which included a visit to the Lifeboat Museum.</td>
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<tr>
<td>11 September</td>
<td>Civic Service</td>
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<td></td>
<td>A joint Civic Service hosted by the Chairman of Waveney District Council and the Mayor of Beccles.</td>
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<td>12 September</td>
<td>Opening</td>
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<td>Flyover and reception at City Hall as part of the opening of Battle of Britain Week, hosted by the Lord Mayor of Norwich.</td>
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<td>14 September</td>
<td>Launch</td>
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<td></td>
<td>Launch of the Self-Neglect and Hoarding Strategy, hosted by the Independent Chair of Norfolk Safeguarding Adults Board.</td>
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<tr>
<td>14 September</td>
<td>Celebration</td>
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<td>A celebration at Wymondham Abbey and thank you to the donors to mark the completion of the Abbey Development Project, .</td>
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<td>15 September</td>
<td>Commemoration and Service</td>
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<td>A wreath-laying ceremony and reception to commemorate the Battle of Britain, hosted by the Chairman of NCC.</td>
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<tr>
<td>18 September</td>
<td>Commemoration and Service</td>
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<td></td>
<td>A Service to commemorate the anniversary of the Battle of Britain, held at Norwich Cathedral.</td>
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Appointment of External Auditors

Report of the Internal Audit Consortium Manager
Cabinet Member: Cllr Edney

CONTACT
Emma Hodds 01508 533791
ehodds@s-norfolk.gov.uk
1. Introduction

1.1 This report outlines the Local Audit and Accountability Act (2014) and the necessity for Local Authorities to establish an auditor panel and manage their own procurement. The report explores the options available, the associated benefits, and concludes with a preferred route for the Council for the appointment of the External Auditor.

1.2 The report was emailed, in August 2016, to Members of the Finance, Resources, Audit and Government Committee who were in favour of the recommendations.

2. Background

2.1 The Local Audit and Accountability Act 2014 (the Act) introduced the necessity for local authorities to establish an auditor panel and manage their own procurement.

2.2 Therefore all local authorities will need to decide how their auditors will be appointed in the future, whether they make the appointment themselves, or in conjunction with other bodies, or join a national collective scheme.

2.3 The Local Government Association (LGA) has played a leadership role in anticipating the changes and influencing the range of options available to local bodies. In particular, it has lobbied to ensure that, irrespective of size, scale, responsibility or location, local government bodies can if they wish, subscribe to a specially authorised national scheme which will take full responsibility for local auditor appointments which offer a high quality professional service and value for money.

2.4 Public Sector Audit Appointments Limited (PSAA), which is a not-for-profit company established by the LGA is leading the development of this national option and ideally is looking for principal bodies to give firm commitment to join the scheme during Autumn 2016.

2.5 High quality independent audit is one of the cornerstones of public accountability, it gives assurance that taxpayers’ money has been well managed and properly expended. It helps inspire trust and confidence in the organisations and people responsible for managing public money.
3. Current Position/Findings

3.1 The current audit contracts are administered by PSAA. These powers are time limited and will cease when these contracts with audit firms expire with the completion of the 2017/18 audits for local government bodies.

3.2 Thereafter the Council will need to have exercised a choice about whether to opt in to the authorised national scheme, or whether to make other arrangements to appoint their own auditors.

3.3 The first option, for the Council to appoint auditors directly is not recommended as it would be costly to run our own procurement exercise, and being an individual Authority we would be unlikely to benefit from economies of scale and achieve a competitive price. In addition an auditor panel would need to be set up to undertake the functions as set out in the Act.

3.4 Secondly auditors could be appointed in conjunction with other local authorities. This was initially explored with Norfolk County Council leading on a potential County-wide procurement exercise. However again this is not recommended as it would incur procurement costs for the authorities involved and would also mean each Authority would then need to manage and monitor the performance of the contract that was entered into. Again an auditor panel would need to be set up.

3.5 The third option is for the Council to join the National Scheme proposed by the PSAA.

3.6 To do nothing is not recommended as it would contravene the Act.

4. Proposals

4.1 To avoid prohibitive costs and ensure that a sound contractual framework is in place for assessment of Auditors, it is recommended that the Council joins the National Scheme, subject to applicable terms and conditions being acceptable to the Council and within the Constitution.
Reasons for proposal

4.2 A top priority for PSAA is to seek to obtain the best possible price; the current thinking is that this can be achieved by letting a three year contract, with the option to extend to five years, to a relatively small number of appropriately registered firms in two or three large contract areas nationally. By having contracts with a number of firms, PSAA will be able to ensure independence and avoid dominance of the market by one or two firms.

4.3 The procurement strategy will prioritise the importance of demonstrably independent appointments, in terms of both the audit firm appointed to each audited body and the procurement and appointment processes used.

4.4 PSAA will ensure that fee levels are carefully managed by securing competitive prices from firms and by minimising PSAA’s own costs. PSAA will pool scheme costs and charge fees to audited bodies in accordance with a fair scale of fees which has regard to size, complexity and audit risk. Pooling therefore means that everyone within the scheme will benefit from the most competitive prices (current fees are set on this basis).

Expected Benefits

4.5 Auditors must be independent of the bodies they audit, to enable them to carry out their work with objectivity and credibility, and in a way that commands public confidence. PSAA will ensure that every auditor appointment process passes this test and the Committee will be informed of the parameters used in this assessment.

4.6 The scheme will endeavour to appoint the same auditors to bodies which are involved in a formal collaboration / joint working initiatives or within combined authority areas, thereby avoiding duplication of effort wherever possible.

4.7 PSAA will only contract with firms which have a proven track record in undertaking public audit work. In accordance with the Act firms must be registered with one of the chartered accountancy institutes acting in the capacity of a Recognised Supervisory Body (RSB) and the quality of the audit work will be subject to scrutiny by both the RSB and the Financial Reporting Council (FRC).

4.8 Opting in to the appointing person arrangement will remove the need to set up an auditor panel. This is set out in the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015.
5. Risks and implications arising

5.1 Constitution and Legal – In Part 3 – Rules of Procedure, of the Constitution, the Finance, Resources, Audit and Governance Committee specifically reviews, and makes recommendations to Cabinet where appropriate, on the following external audit matters:

The external auditors report on the statement of accounts, and the external auditors annual plans.

5.2 Contracts – the current contract is with Ernst Young and this will expire after the end of the 2017/18 Audit.

5.3 Financial – Scale fees are currently set by PSAA and the fee for 2015/16 audit of the accounts is proposed to be £50,949, the final actual fee will exceed the scale fee set by the PSAA due to the additional work on group accounts, which are included in the financial statements for the first time in 2015/16.

5.4 Risk Management – The national framework will be subject to scrutiny at all levels to ensure that it is acceptable to the Council and all other Authorities who choose to enter into the scheme. This will ensure that the appropriate level of competence for Auditors is assured.

In the event that there are onerous terms and conditions in the National Framework these will be reported back to the Committee before any decision by the Section 151 Officer is taken in respect of joining the scheme.

6. Recommendation

6.1 That South Norfolk Council agrees to join a national collective scheme for the appointment of the Auditors, led by the Public Sector Audit Appointments (PSAA).

6.2 That delegated authority be given to the Section 151 Officer to communicate the willingness of the Council to join the scheme to PSAA and to enter into the scheme after satisfactory examination / negotiation of the proposed terms and conditions is concluded.
Appendix A – Objectives of PSAA

Background Papers:

PSAA Corporate Plan 2015-18 (available from Internal Audit Consortium Manager)


Public Sector Audit Appointments Limited

Public Sector Audit Appointments Limited (PSAA) is an independent company limited by guarantee incorporated by the Local Government Association in August 2014, without any share capital and is a subsidiary of the Improvement and Development Agency (IDeA) which is wholly owned by the LGA.

The Secretary of State for Communities and Local Government delegated statutory functions (from the Audit Commission Act 1998) to PSAA by way of a letter of delegation issued under powers contained in the Local Audit and Accountability Act 2014.

The company is responsible for appointing auditors to local government, police and local NHS bodies, for setting audit fees and for making arrangements for the certification of housing benefit subsidy claims.

Before 1 April 2015, these responsibilities were discharged by the Audit Commission.

PSAA has been tasked with ensuring that the company delivers the following objectives:

- appointing auditors to all relevant authorities;
- setting scales of fees, and charging fees, for the audit of accounts of relevant authorities and consulting with relevant parties in relation to those scales of fees;
- making arrangements for the certification of claims or returns in respect of housing benefit subsidy from audited bodies;
- helping to ensure a smooth transition to the new audit regime to be established under the Local Audit and Accountability Act 2014;
- ensuring that public money continues to be properly accounted for and protected during the transition to the new local appointment regime to be established under the Local Audit and Accountability Act 2014;
- overseeing the delivery of consistent high quality and effective audit services to relevant authorities;
- ensuring effective management of contracts with audit firms for the delivery of audit services to relevant authorities;
- be financially responsible having regard to the efficiency of operating costs and transparently safeguarding fees charged to audited bodies; and
- Leading its people as a good employer, ensuring that it continues to be fit-for-purpose; motivating and supporting its staff; and communicating with them in an open, honest and timely way.
Annual Report on Standards Activity

Report of the Monitoring Officer
Chairman of the Standards Committee, Kay Mason Billig

CONTACT
Leah Mickleborough, 01508 533954
lmickleborough@s-norfolk.gov.uk
1. Foreword

1.1. The operation of our Standards regime continues to work well, and we have had little cause to call on the Chairman/Vice Chairman for appeals or to go to a full Standards Committee hearing since the last report.

1.2. This is one of the benefits of having a highly experienced Monitoring Officer and Independent Person. They now have several years under their belts with this regime and are able to get to the nub of a complaint quickly and deal with it effectively.

1.3. There is still confusion amongst some Councillors about what is considered to be acceptable behaviour in their public roles and how to work within the Code of Conduct. There is sometimes a cross over between a Councillors public and private life and this can lead to questions as to whether they were acting in their capacity as a Councillor when a complaint arises. Members of the public can likewise be confused about what is a valid complaint and often mix decisions made by councils with the conduct of individual members. We continue to offer training to Parishes to help them to avoid these situations arising and so that they may make their process of decision making clear to their parishioners.

1.4. We are unusual in that we have an appeals system but I believe we are right to do so. This helps us to reassure a complainant that their complaint has received a full and fair hearing. Often being able to explain the nature of a complaint to a third party will help to diffuse a situation. Some of the complaints come down to a clash of personalities and therefore the ability to explain how they feel, may give those involved a sense that they have addressed the issue and offer some closure. It also gives us an insight into how the problems arose and where we might offer training to help to resolve any differences in the future.

1.5. I am always grateful to the staff, especially The Monitoring Officer and our Independent Person. They put in a great deal of time and effort in often challenging circumstances and we are grateful for their expertise and skill in handling these sensitive situations.
2. Introduction

2.1 This is now the fourth annual report of the Standards Committee, following the transition to a localised Standards Regime introduced under the Localism Act 2011.

2.2 The report outlines how the Standards regime has operated during the year at South Norfolk Council, and how the Council fulfils its duty to promote and maintain high standards of conduct by members and co-opted members across the District.

3. Standards Allegations and Investigations

3.1 It is pleasing to be able to report that standards complaints once again fell during the 2015/16 year, so that the 5 separate concerns raised relating to 7 Councillors is the lowest number since the previous arrangements for the handling of such complaints were introduced in 2008/09.

3.2 Whilst this is very pleasing to be able to report, it must be viewed with some caution. At the time of reporting, 5 complaints relating to 9 Councillors have been received in the 2016/17 financial year, and so this downward trend is not expected to continue.

3.3 As reported in the previous annual report, it was necessary to refer one case to the Standards Committee in August 2015, which resulted in a Parish Councillor having been found to have breached the Localism Act and Code of Conduct. However, all other complaints raised during the year did not require further action for a range of reasons as outlined within Appendix 2; one case was referred by the complainant for appeal, which upheld the Monitoring Officer’s decision. No cases were raised further and in all cases the Monitoring Officer’s views were consistent with those of the appointed Independent Person, Mr Alex Oram.

3.4 As was explained in the previous annual review, there remains a core element of our complaints work which is motivated in part by dissatisfaction with the decision of the Parish Council, rather than just the behaviour of an individual member. Such cases have been particularly challenging to try to achieve a lasting solution and can require significant resources to handle.
3.5 Several of the complaints have required marginal judgements as to whether or not the Councillor has been acting in capacity; we have also had several concerns raised with us regarding the behaviour of Councillors at both a Parish and District level which ultimately have not progressed to complaint as they were very clearly not in the capacity of a Councillor at the time of the incident. The public rightly expects high standards of conduct from those in public office in whichever capacity they are serving, and Councillors must be mindful of the impact that comments and actions in a private capacity can have on their public role.

3.6 A particular theme arising from more recent cases is the meaning of “confidentiality” in handling standards cases. Complainants are requested to fill in complaint forms, which identify that the subject of the complaint will be made aware of their complaint and their name unless there are reasons for this information not to be disclosed. It is then the case that all parties are expected to keep confidential details of the case until it has been concluded and the details of the complaint will usually only go into the public domain where it is subsequently referred to a Standards Committee as a breach of the Code of Conduct.

3.7 At each stage, we have to ensure our policies and practices are consistent and compliant with the data protection act, and more generally we carefully consider the facts in each case. We are currently reviewing our practices to ensure there are clear expectations on all parties regarding confidentiality.

4. Upholding High Standards of Conduct

4.1 District Councillors undertook an extensive training and induction programme during the 2015/16 to support the integration of new Councillors into the organisation, helping them to understand the organisation’s values and expected behaviours. Subsequent training has focussed on “competency” aspects of the Council role, including sessions on chairing meetings and building effective relationships with officers. Forthcoming sessions will include dealing with difficult people and effective community engagement.

4.2 More generally, the Monitoring Officer and Deputy Monitoring Officer have an open offer to all Parish and Town Councils to provide free training on standards and governance. A number of Parishes continue to take up this offer, and over the past year the training has been refreshed to give greater context – for example, highlighting the national and local media attention that has been given to issues raised in and around Norfolk, demonstrating vividly that Parish and Town Councils are not immune from controversy. The
training also includes new guidance on using social media, dealing with Freedom of Information requests and effective data protection given issues that have arisen in Parishes during recent years

5. Looking Ahead, 2016/17

5.1 As above, we have already seen an upturn in the level of Standards Complaints during the first part of the financial year. The Council has established procedures for dealing with such cases that are subject to continuous improvement and review following the outcome of each case, particularly given cases that are beginning to emerge on a national basis.

5.2 The Council's Code of Corporate Governance is earmarked for review following CIPFA's recent update “Delivering Good Governance in Local Government Framework”. The revised framework places great emphasis on the values of the organisation as the basis for effective decision making and positive outcomes. The Committee for Standards in Public Life, which has kept a watching brief on Local Government Standards given its concern as to the effectiveness of the sanctions regime. Their action plan for the forthcoming year indicates that they intend to undertake a review to clarify topics of substantive concern and identify best practice in well governed authorities, to report during the 2017/18 year.

6. Recommendation

6.1 Council is requested to endorse the Annual Report of the Standards Committee
## Appendix 1

### Number of Standards Cases

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of complaints</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Parish</td>
<td>District</td>
</tr>
<tr>
<td>2009</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>2010</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>2011</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>2012 old regime</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>2012 New regime</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td>2013</td>
<td>14</td>
<td>3</td>
</tr>
<tr>
<td>2013/14</td>
<td>9 (inc 6 referred to above)</td>
<td>3 (inc 3 referred to above)</td>
</tr>
<tr>
<td>2014/15</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>2015/16</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>2016/17 to date</td>
<td>5</td>
<td>0</td>
</tr>
</tbody>
</table>
### Appendix 2

Standards Cases, 2015/16; * denotes cases where more than one complaint received for same / similar issues

<table>
<thead>
<tr>
<th>Case</th>
<th>Status</th>
<th>Brief Description of allegation</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>150407</td>
<td>Closed</td>
<td>Subject did not act appropriately at meetings</td>
<td>No further action. Subject was not re-elected so no jurisdiction to progress</td>
</tr>
<tr>
<td>150416</td>
<td>Closed</td>
<td>Failure to declare pecuniary interest</td>
<td>Upheld by Standards Committee, recommended training and review of procedures</td>
</tr>
<tr>
<td>150616</td>
<td>Closed</td>
<td>Subjects (2) acted inappropriately towards resident and damaged property</td>
<td>No further action, although support offered to resolving the situation</td>
</tr>
<tr>
<td>150717</td>
<td>Closed</td>
<td>Subjects (2) made inappropriate media and social media comments</td>
<td>No further action as no case to answer</td>
</tr>
<tr>
<td>160314</td>
<td>Closed</td>
<td>Subject made inappropriate comments in public place</td>
<td>No further action as not in capacity</td>
</tr>
<tr>
<td>160421</td>
<td>Closed</td>
<td>Subject acted inappropriately at committee meeting</td>
<td>Recommended for other action</td>
</tr>
<tr>
<td>160505*</td>
<td>Closed</td>
<td>Subject made inappropriate comments in meeting / on social media</td>
<td>Recommended for other action</td>
</tr>
<tr>
<td>160509</td>
<td>Closed</td>
<td>Subject acted inappropriately at committee meeting</td>
<td>Recommended for other action</td>
</tr>
<tr>
<td>160609</td>
<td>Closed</td>
<td>Subject acted inappropriately in public place</td>
<td>Subject offered apology – no further recommendation</td>
</tr>
<tr>
<td>160723</td>
<td>Outcome notified</td>
<td>Subjects (4) made untruthful allegations at Committee</td>
<td>Complaint substantively a decision of the Parish Council, recommendations regarding Parish Council practices.</td>
</tr>
</tbody>
</table>
1. The Local Government Boundary Commission (“LGBC”) having accepted the submission which we made on behalf of the Council that the new District Council following the completion of its review should continue to comprise 46 elected members, the next task for the Committee was to submit a preliminary view of the new warding pattern for consideration by the LGBC.

2. It must be remembered that the LGBC triggered this review because one of our existing wards was 50% oversize. The LGBC operates a strict rule that all new wards must come within a 10% tolerance of the norm and that rule overrides other considerations such as community of interest and convenience of communication. The LGBC also laid down the timetable to which we had to work.

3. To this end the Committee met on 30th August 2016. This was an exceptionally well-attended meeting with more than half of the membership of the Council present. Though I had written to all Parishes on 12th August, no Parishes were represented at the meeting though several had made written representations.

4. After lengthy deliberations, the Committee agreed a possible preliminary warding pattern which had been painstakingly crafted to meet the statutory criteria. This was subsequently submitted to the LGBC to meet its deadline of 6th September 2016.

5. The LGBC will now formulate its own proposals which may or may not reflect the preliminary view taken by the Committee. Thereafter the LGBC will publish the proposal which it favours which will be subject to a two month consultation period. The timetable for this and subsequent stages of the review was set out in the papers for the Committee’s meeting of 30th August.

6. The Committee will meet again before the end of October to consider its further input on behalf of the Council in the next stage of the process. At the same time it will agree any representation to be made on behalf of the Council to the Parliamentary Boundaries Review, the Boundary Commission for England having published its preliminary proposals for Norfolk on 13th September 2016.

(Dr) C J Kemp, Chairman, Electoral Arrangements Review Committee, 07/ix/2016