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Governance & Resources Committee

Minutes of a Governance & Resources Committee meeting held at 6.00 pm on Thursday, 10th October, 2024 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT

Councillor Nick Wilton - In the Chair

Councillors: Neil Buttle, Anthony Bates, Geoff Bond, Bob Butcher, Gareth Gee, David Hughes, Simon Ripton, Roger Shelley and Joanne Linthwaite

Steve Capes (Director of Place and Economy), Kerry France (Legal Services Manager), Mike Galsworthy (Estates and Facilities Manager), Lucy Harrison (Democratic Services Assistant), Karen Henriksen (Director of Resources), Alastair Newall (Forvis Mazars LLP), Jennie Norman (Forvis Mazars LLP), Caroline Leatherday (Business Support Manager) and Mark Mealey (Information Governance Officer)

Note:

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APOLOGIES

Apologies for absence were received from Councillor(s): Dawn Greatorex and Steve Flitter

172/24 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Anthony Bates, seconded by Councillor David Hughes and

RESOLVED

That the minutes of the meeting of the Governance and Resources Committee held on 18 July 2024 be approved as a correct record.

Voting

07 For

00 Against

02 Abstention

The Chair declared the motion **CARRIED**.

173/24 - PUBLIC PARTICIPATION

There was no public participation.

174/24 - INTERESTS

Item 7 Asset Management Plan – Land Holdings Review Phase 8

Councillor Nick Wilton declared a personal interest in Item 7 as he knew an individual that would be purchasing one of the sites subject to the Committee's decision.

175/24 - QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15

No questions were received.

176/24 - UPGRADE OF UNIFORM PUBLIC ACCESS AND IMPLEMENTATION OF A PUBLIC ACCESS TEST SYSTEM

The Director of Place and Economy introduced a report which sought an upgrade to Idox Uniform Public Access to version 3.5 and the implementation of a test system for Public Access.

Members were informed that Uniform was the planning applications case management system (provided by Idox plc) that was used by the Council. Upgrading the system to version 3.5 would bring improved functionality. Without the upgrade, the system would be unsupported, and therefore no longer covered by the supplier. Support for the current version ended in July 2024. This could, in time, jeopardise use and security of the system. The technical improvements the upgrade would provide were set out in 1.3 of the report.

It was noted that the Council did not currently have a test system for Public Access. Implementation of a test system would allow for better management of the system by checking information to be displayed on the website prior to it being displayed publicly. The report therefore also sought implementation of a Test system for Public Access.

It was moved by Councillor David Hughes, seconded by Councillor Simon Ripton and

RESOLVED (unanimously)

1. That action be taken to upgrade to Idox Uniform Public Access version 3.5.
2. That a test system be implemented.

3. That Council be requested to approve a supplementary revenue budget of £11,500, financed from the General Reserve in 2024/25, to fund the Idox Uniform Public Access upgrade and test software and implementation.

The Chair declared the motion **CARRIED**.

177/24 - ASSET MANAGEMENT PLAN - LAND HOLDINGS REVIEW PHASE 8

The Estates and Facilities Manager introduced a report representing the eighth phase of an ongoing review of the Council's land and property assets in accordance with the Asset Management Plan. This phase of the Land Holdings Review covered 5 sites across the district.

Members were informed that the Asset Management Plan recommended that the unused or surplus buildings and land be reviewed to establish whether they should be sold or whether they could contribute to the Council's key objectives of economic development and affordable housing or whether they could form part of a Community Asset Transfer.

The details of and recommendations for the 5 sites were included within the report and Appendix 1. Each of the sites were voted on individually, the decisions are outlined below.

It was moved by Councillor Joanne Linthwaite, seconded by Councillor Roger Shelley and

RESOLVED

1. That site no 1, Land at Clifton Road, Ashbourne be sold freehold to neighbouring landowners on the terms outlined in Appendix 1 of the report.

Voting

09 For

00 Against

01 Abstention

The Chair declared the motion **CARRIED**.

It was moved by Councillor Bob Butcher, seconded by Councillor Roger Shelley and

RESOLVED

2. That site no 2, Land at Shawcroft Car Park Ashbourne be sold freehold to neighbouring landowners on the terms outlines in Appendix 1 of the report.

Voting

06 For

03 Against

01 Abstention

The Chair declared the motion **CARRIED**.

It was moved by Councillor David Hughes, seconded by Councillor Anthony Bates and

RESOLVED

3. That a lease in of land and rights at Site 3, No. 6 Horse and Jockey Yard (Part) and 18-20 St Johns Street (part), Ashbourne be agreed to facilitate the installation of new external lighting.

Voting

09 For

01 Against

00 Abstentions

The Chair declared the motion **CARRIED**.

It was moved by Councillor Geoff Bond, seconded by Councillor Anthony Bates and

RESOLVED

4. That site no 4, Land between 44-48 High Street, Bonsall be declared as surplus to requirements and to be offered for freehold sale by public auction on the terms outlined in Appendix 1 of the report.

Voting

09 For

01 Against

00 Abstentions

The Chair declared the motion **CARRIED**.

It was moved by Councillor Anthony Bates, seconded by Councillor Joanne Linthwaite and

RESOLVED (unanimously)

5. That site no 5, Land at Peats Close, Kirk Ireton be declared as surplus to requirements and to be offered for freehold sale by public auction on the terms outlined in Appendix 1 of the report.

The Chair declared the motion **CARRIED**.

It was moved by Councillor David Hughes, seconded by Councillor Anthony Bates and

RESOLVED (unanimously)

6. That it is noted that the disposal of site nos. 1 and 2 above comprise undervalue transactions permitted under the General Disposal Consent 2003.
7. Responsibility for legal and surveyors' costs in respect of all the transactions above are detailed in Appendix. 1 of the report.

The Chair declared the motion **CARRIED**.

178/24 - DATA PROTECTION AND INFORMATION GOVERNANCE ANNUAL REPORT 2023/24

The Business Support Manager and the Information Governance Officer introduced an annual report on the Council's compliance with the General Data Protection Regulations, the Data Protection Act and the Freedom of Information Act in respect of 2023/2024 to provide assurance on the governance, risk and controls in place.

Background information was provided within the report which included descriptions of the functions of Information Governance, the statutory obligations of the Council, and information regarding the Freedom of Information and Environmental Information Regulations processes. The report also provided information on the responsibilities of the Information Governance Officer and the Information Governance Board.

The report presented Performance Indicator Data for the 2023/24 year, in addition to the data for the three previous years to allow for comparison. The lack of benchmarking information was noted within the report, as Council's are not required to submit any annual information to the Information Commissioners Office there was therefore no published data available that could allow for comparison with other similar authorities.

Members were informed that the Information Commissioners Office expected minimum level of compliance with responding to Freedom Of Information and Environmental Information Regulations requests was 90%. The table in section 2.25 of the report showed that the Council had exceeded this target in the past, but that compliance fell below 90% in the last financial year. This was mainly due to the unprecedented number of Officer vacancies during the 12-month period.

It was noted that updated Information governance training, covering data protection, had been delayed due to the General Election in July 2024. Members were informed that a training session for all Councillors was in the process of being arranged in the new year.

It was moved by Councillor Simon Ripton, seconded by Councillor David Hughes and

RESOLVED (unanimously)

1. That the Data Protection and Information Governance Annual Report 2023/24 be accepted.

The Chair declared the motion **CARRIED**.

179/24 - EXTERNAL AUDIT PROGRESS REPORT

The external auditor, Alastair Newall, introduced a report which provided members with updates from the external auditor relating to progress on the audit of financial statements for 2023/24 and to national publications that had been issued recently.

The latest Audit Progress Report was attached at Appendix 1. Members were informed that audited financial statements must be published by 28th February 2025. It was intended that the audited financial statements would be presented to this committee for approval at its meeting on 23rd January 2025.

The external audit manager, Jennie Norman, noted that since the week commencing 23rd September Forvis Mazars had been at the Town Hall carrying out the main stage of their audit work. It was noted that there was good stability in the audit and finance team.

It was moved by Councillor Geoff Bond, seconded by Councillor Roger Shelley and

RESOLVED (unanimously)

1. That the Audit Progress Report shown in Appendix 1 be received and noted.

The Chair declared the motion **CARRIED**.

180/24 - REVENUE BUDGET MONITORING QUARTER 1 2024/25

The Director of Resources introduced a report which provided an update on the Council's revenue budget for 2024/25. The report recommended that Council be requested to approve transfers to and from reserves for Quarter 1 of 2024/25 and the revised budget for 2024/25.

On 29th February 2024 Council set a net revenue budget of £13,750,161 for 2024/25. This was subsequently updated when the revenue out-turn report 2023/24 was approved by Council on the 25th July 2024 and a further £1,175,174 was requested and transferred from the Committed Expenditure, Revenue Grants Unapplied and Local Plan Reserves to give a revised net revenue budget of £14,925,335.

Members were informed that since the revised budget was formally approved, there had been a number of virements approved under delegated authority which had impacted directorate totals. These additional approved budget changes were summarised in Appendix 1 and had the overall effect of decreasing the budget by £1,677.

The forecast out-turn position at Quarter 1 for the Council was an underspend of £417,269. This was based on estimates at 30th June 2024; updated forecasts would be reported throughout the financial year. Appendix 2 detailed the current forecast position and revised budget.

It was moved by Councillor Simon Ripton, seconded by Councillor Geoff Bond and

RESOLVED (unanimously)

1. That the Quarter 1 budget monitoring report and the forecast underspending of £417,269 for 2024/25 be received and agreed.
2. That Council be requested to approve transfers to/from reserves for quarter 1 of financial year 2024/25, totalling £76,572, as set out in Appendix 1 to the report.
3. That Council be requested to approve the revised budget for 2024/25, as set out in Appendix 2 to the report and receive and agree the revised reserves position in Appendix 3.
4. That the update on Medium Term Financial Plan (MTFP) progress is received and noted.

The Chair declared the motion **CARRIED**.

181/24 - TREASURY MANAGEMENT OUTTURN REPORT 2023/24

The Director of Resources introduced a report summarising Treasury Management activities and the out-turn position against Prudential Indicators for 2023/24.

The Authority's Treasury Management Strategy for 2023/24 was approved at a meeting on 2nd March 2023. The Authority had invested substantial sums of money and was therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remained central to the Authority's treasury management strategy.

The report showed that activities undertaken in 2023/24 fully complied with the Council's Treasury Management Strategy and that Prudential indicators were within targets.

It was moved by Councillor David Hughes, seconded by Councillor Geoff Bond and

RESOLVED (unanimously)

1. That the Treasury Management Out-urn position for 2023/24 be approved.
2. That the Prudential Indicators contained in Appendix 1 be approved.

The Chair declared the motion **CARRIED**.

182/24 - ARREARS FOR WRITE OFF 2024/25 - MID-YEAR REPORT

The Director of Resources introduced a report providing information about debtor write offs authorised by the Director of Resources under delegated authority in accordance with the Council's Financial Regulations and sought approval for the write offs of individual debts of £10,000 or more in accordance with the Council's Financial Regulations.

Under regulation 5.2.12 of the Council's Financial Regulations, authority is delegated to the Director of Resources to write-off individual debts up to £10,000. Under the scheme of delegation to officers, the Director of Resources also had authority to write off any arrears that have been caused by an officer error. The report detailed two debts of £10,000 or more for which authorisation to write-off was required from this Committee; both debts were for non-domestic rates.

The mid-year report for 2024/25 covered arrears relating to council tax, non-domestic rates, housing benefit overpayments and sundry debts. The position as of 30th September 2024 was summarised in table 1 of the report. Appendix 1 to the report detailed the schedule of proposed write offs which totalled £37,560.29.

A revised version of table 2 of the report was circulated to Members at the Meeting to show the latest collection figures. The Director of Resources also noted that there was an error in section 2.8 of the report. It was noted that whilst the County Council had paid some of their accounts, some were still in dispute.

It was moved by Councillor Geoff Bond, seconded by Councillor David Hughes and

RESOLVED (unanimously)

1. That the individual debts of £10,000 or more listed in Appendix 1 totalling £37,560.29 be approve for write off.

The Chair declared the motion **CARRIED**.

183/24 - WORK PROGRAMME FOR THE YEAR AHEAD

The Director of Resources informed Members that the Council's treasury advisors Arlingclose offer a free training session for Members each year.

Meeting Closed: 7.37 pm

Chair