



**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
19 SEPTEMBER 2024**

PRESENT

Chairperson	Councillor W Stamp, CC
Vice-Chairperson	Councillor N D Spenceley
Councillors	M G Bassenger, J C Hughes, R G Pratt, U C G Siddall-Norman, J C Stilts, M E Thompson and P L Spenceley (Substitute for S J Burwood)

286. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

287. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

Apologies for absence were received from Councillors S J Burwood and N R Miller. In accordance with notice duly given it was noted that Councillor P L Spenceley was attending as a substitute for Councillor Burwood.

288. MINUTES OF THE LAST MEETING

The Independent Person referred to the Minutes and raised a number of points and queries. In response Officers provided the following information:

- Audit fee levels were the subject of ongoing negotiation and guidance from the Public Sector Audit Appointments (PSAA) who the Council procured the auditors through. The Chief Finance Officer advised that a further update would be brought to a future meeting of the Committee.
- It was unlikely that audit firms would offer indemnity in the event there was a claim against the Council. The Chief Finance Officer advised that she could raise the matter with the auditors but felt it unlikely they would offer this.
- The Financial Reporting Council (FRC) was aware of the challenges around meeting statutory audit deadlines. Members were reminded that this Council was in the same position as the vast majority of other Councils across the country. However, the FRC had recently announced a process which it would oversee in terms of escalating the reporting of firms that were not able to comply with those statutory deadlines.

In response to further questions raised, Officers advised that they would meet with the Independent Person outside of this meeting.

RESOLVED that the Minutes of the meeting of the Committee held on 18 July 2024 be approved and confirmed.

289. MATTERS ARISING

The Chairperson sought an update on Minute 16 – Infrastructure Funding and in response the Committee Clerk advised that no further update had been received but that they would follow this up outside of the meeting.

290. DISCLOSURE OF INTEREST

There were none.

291. PUBLIC PARTICIPATION

No requests had been received.

292. CORPORATE PERFORMANCE - QUARTER 1

The Committee considered the report of the Director of Strategy and Resources which sought the Committee to undertake a quarterly review of the Thematic Strategies performance, as assurance that performance was being managed effectively to achieve the corporate priorities as set out in the Council's Corporate Plan 2023 - 2027. Appendix 1 to the report provided an overview of the Corporate Plan as at the end of Quarter One (Q1) (April - June 2024).

It was reported that work was progressing positively with the performance delivery of the corporate plan on-track and although there were some conditional elements these were not currently of concern.

Following presentation of the report by the Director of Strategy and Resources, the Chairperson moved the recommendations set out in the report and these were duly seconded.

During the debate that followed and in response to questions raised by the Committee, the following information was provided:

- In response to a question regarding acronyms and ensuring these were defined in full within the documents provided, the Director of Strategy and Resources agreed that a key was needed for future reports.
- The Committee was reminded that the performance being reported was based on the Council's Corporate Plan and the priorities within it. Members were referred to the Balance Scorecard report which provided a more operational view and referred to direct delivery and the statistics around this.
- The Assistant Director - Customer Services and Operations explained the reasons behind the drop in performance relating to customers services, highlighting the significant increase in calls over the summer due to the changes to waste services. It was noted that the Council's performance levels were good when compared to other Essex Councils and the quality of service offered had not dropped. Customer Services calls were monitored through the balance scorecard.
- A query was raised regarding enforcement and Members advised that this was on the balance scorecard report. A number of service plan indicators were in amber but this related to work still required at a service level.

- Members were reminded that areas were only reported where there was an exception and if an area was on track this would not be reported.

The Chairperson then put the recommendations which were duly agreed.

RESOLVED

- (i) That Members reviewed the information as set out in the Quarter One 2023 / 24 Corporate Performance report and Appendix 1 to the report;
- (ii) That Members confirmed they were assured through this review that Corporate Performance was being managed effectively.

293. REVIEW OF CORPORATE RISK - QUARTER 1

The Committee considered the report of the Director of Strategy and Resources which set out the requirement for it to undertake a quarterly review of the Corporate Risk Register as assurance that corporate risks were being managed effectively. A table of the Corporate Risk Register latest ratings and Officer commentary was attached as Appendix 1 to the report and the mitigating action log was set out at Appendix 2.

It was reported that the risk rating for risk R7 – Failure to maintain a 5-year supply of housing land, had decreased and overall, no major Corporate Risk Register concerns had been raised. Work continued to ensure that all risks were mitigated and where possible, working towards closure.

During his presentation of the report the Director of Strategy and Resources advised that the proposed changes to the National Planning Policy Framework had not been introduced at Quarter One and were therefore not detailed in this report. At Quarter One the Council had passed its housing delivery test and had a five-year Housing Land Supply that exceeded six years.

The Chairperson then moved the recommendations set out in the report. This was duly seconded.

In response to a question regarding the Council's Safeguarding Officer, Members were advised that the Council had recently appointed a Head of Community Safety and Customer Services who would be taking on responsibility for safeguarding. In the interim period there had been no impact on services and the Council

The Chairperson put the recommendation, and this was duly agreed.

RESOLVED

- (i) That Members confirm review of the Corporate Risk Register (at Appendix 1 to the report);
- (ii) That Members confirm review progress of the Corporate Risk Mitigating actions set out in Appendix 2 to the report;
- (iii) That Members are assured through this review that corporate risk and is being managed effectively;
- (iv) That Members challenged risk where the Committee felt that the Council's corporate goals may not be achieved.

294. BALANCE SCORECARD EXCEPTIONS REPORT

The Committee considered the report of the Director of Strategy and Resources reporting any exceptions to operational service reporting for the Committee to review and discuss. This report sought to meet the Corporate Performance and Governance Framework requirement for this Committee to be provided with details of any identified Balance Scorecard Key Performance Indicators (KPIs) that had met their threshold, supported by an action plan to ensure targets were met. This would then give assurance that operational performance was being managed proactively and effectively.

The Chairperson introduced the report which covered the period January to June 2024 and deferred to the Director of Strategy and Resources to present the detail. The Director drew Members' attention to the areas of operational performance where exceptions were evident, which included both under and overperformance. The report identified four KPIs where closer monitoring was taking place and gave explanation for this, and further performance data was set out in appendix 1 to the report.

The Chairperson moved the recommendations set out in the report which were duly agreed.

RESOLVED

- (i) That the Committee reviewed and commented on exceptions to service reporting provided in the report;
- (ii) That Members noted the additional performance detailed in Appendix 1 to the report;
- (iii) That Members confirmed they were assured through this review, that operational performance was being managed effectively.

295. ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE

The Committee considered the report of the Director of Strategy and Resources updating Members on the actions identified in the Annual Governance Statement (AGS).

During his presentation of the report, the Director of Strategy and Resources advised the Committee that the report referred to the 2024 / 25 Annual Governance Statement (AGS) but this was incorrect and it was the 2023 / 24 AGS that was being reported.

Members were reminded that this Committee had approved the AGS in its current format on 10 June 2021. The report provided a progress update against key actions defined in the 2023 / 24 AGS along with Officer comments for members' review.

The Chairperson moved the recommendation as set out in the report. This was duly seconded.

In response to a question, the Director of Strategy and Resources explained the process that the Council followed for the agreement of the AGS and publishing of the Council's accounts.

The Director of Strategy and Resources gave the Committee assurance that in respect of the action relating to building engagement and information sharing with Parish

Councils this engagement was taking place. This was confirmed by Councillor P L Spenceley who was Chairperson of Heybridge Parish Council.

Members were advised that the Member Training Working Group met regularly to review the annual programme for Members' training and any additional training requirements that may come about through changes in legislation etc. Councillor R Pratt referred to the induction programme and suggested there were some areas for further development. In response the Chairperson suggested that the Assistant Director – Programmes, Performance and Governance or the Chairperson of the Working Group speak with Councillor Pratt regarding this outside of the meeting.

The Chairperson then put the recommendation which was duly agreed by assent.

RESOLVED that the Committee reviewed the Annual Governance Statements table and updates set out in the report.

296. FINANCE PEER REVIEW ACTION UPDATE

The Committee considered the report of the Director of Strategy and Resources presenting an update on the progress made to implement the 2023 Finance Peer Review action plan.

Members were reminded of the Local Government Association (LGA) Finance Peer Challenge undertaken in February and March 2023 and the initial findings reported to the Council on 13 July 2023. The Council, at that meeting, had approved an action plan setting out responses to the six key Finance Peer Review recommendations and delegated responses to other recommendations to the Finance Member Group to oversee. A follow-up review had been undertaken by the LGA in January 2024 and the findings published on the Council's website. Appendix 1 to the report detailed all the recommendations along with an update on their status.

It was noted that the Council had made good progress to implement the recommendations with the majority of the action plan having been implemented. The report suggested that any outstanding actions were monitored and reported on via the Council's AGS process in the future.

Following presentation of the report by the Chief Financial Officer, the Chairperson moved the recommendations as set out in the report. This was duly seconded.

In response to the request for an update on mentoring to the Leader, the Officer advised that there had been some dialogue but no satisfactory conclusion reached.

The Chairperson put the recommendations and these were duly agreed by assent.

RESOLVED

- (i) That Members review the information as set out in the report and Appendix 1 to the report;
- (ii) That progress against any outstanding Finance Peer Review actions are incorporated into the Council's Annual Governance Statement monitoring process and reported via this route in future.

297. UK SHARED AND RURAL ENGLAND PROSPERITY FUNDS

The Committee considered the report of the Director of Strategy and Resources updating Members on the delivery of the Maldon District's UK Shared and Rural England Prosperity Fund (UKSPF) allocations.

The projects being delivered via the funding over the three-year period along with their current status were set out in Appendix 1 to the report. It was noted that where projects were not being progressed due to feasibility, funding would be reallocated to other existing projects within the investment plan. The Lead Specialist Prosperity reported that all of the £1m funding had been allocated and as this was the last year of the UKSPF funding any unspent monies would have to be returned to the Ministry of Housing, Communities and Local Government, unless an extension was granted.

The report also provided an update on the Rural England Prosperity Fund (REPF) which launched on 15 February 2024 and since then 33 applications had been received, 19 of which had been approved to a value of £396,007.77 with £34,320.23 remaining. Officers were working with the Rural Community Council of Essex (RCCE) and grant recipients to evaluate projects funded. Although the acceptance of new submissions had been paused, it was noted that once existing applications had been reviewed and potentially approved there may be opportunity to reopen the process.

The Chairperson thanked the Lead Specialist Prosperity for her work on this and handed over to her to present the report.

The Chairperson advised Members that Officers had given their reassurance that all monies from this fund would be spent by the deadline. She then put the recommendation which was agreed by assent.

RESOLVED that the Committee acknowledges the update provided on Maldon District's UK Shared and Rural England Prosperity Fund allocations and continues to monitor the delivery.

298. HEALTH AND SAFETY UPDATE - QUARTER ONE 2024 / 25

The Committee considered the report of the Director of Service Delivery that provided an update on Health and Safety statistics and activity during Quarter One (Q1) 1 April to 31 June 2024.

The report provided details of accident, near miss, hazard and unacceptable behaviour reporting and actions as a result of these. Additional health and safety improvements were continuing and the improvements made within Q1 were detailed. Updates in respect of system resources, training, fire risk assessment, policies and procedures and health and safety inspections were set out in the report. The priorities for the next quarter were set out in the report and noted by Members.

The Chairperson moved the recommendations set out in the report. This was duly seconded.

The Corporate Health and Safety Manager took the Committee through the report advising on the numbers of accidents / incidents and near misses and incidents of unacceptable behaviour during this quarter. He reported that a fire evacuation test had taken place in the summer.

In response to a number of questions raised during the debate, the following information was provided by Officers:

- Key target areas for each department had been agreed by Managers, these were being monitored and the next step was to identify any reason for delay.
- In respect of fire evacuation, the new occupancy tracker had been used for role call at the recent fire drill and an evening drill was scheduled.
- Fire risk assessments for cemetery chapels were outstanding and an update was awaited on the status of them.
- Animal activity, especially rabbits at the Promenade Park was monitored and would be part of the new pest control contractors' duties.

The Chairperson put the recommendations to the Committee, and these were duly agreed.

RESOLVED

- (i) That Members considered the accident and incident statistics and incidences of unacceptable behaviour reported;
- (ii) That Members considered progress of key health and safety themes (as per section 3.2 of the report).

There being no other items of business the Chairperson closed the meeting at 8.31 pm.

W STAMP, CC
CHAIRPERSON