



**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
13 NOVEMBER 2025**

PRESENT

Chairperson	Councillor W Stamp, CC
Vice-Chairperson	Councillor N D Spenceley
Councillors	M G Bassenger, D O Bown, S J Burwood, J C Hughes, R G Pratt, U G C Siddall-Norman and M E Thompson
In attendance	Councillor(s) A Fittock, K M H Lagan and S J N Morgan
Independent Person	Mr Derek Smith

335. CHAIRPERSON'S NOTICES

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

At this point the Chairperson advised that she would be altering the order of business and Agenda Item 9 – Reference from the Overview and Scrutiny Committee – Scrutiny Watching Brief Item – Planning Enforcement would be considered following item 6 – Public Participation.

336. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M G Neall.

337. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 18 September 2025 be approved and confirmed.

338. MATTERS ARISING

The Chairperson advised that a number of the matters arising could now be marked as closed and thanked the Committee Clerk for her work in collating the responses.

The Committee noted the matters arising from the last meeting.

339. DISCLOSURE OF INTEREST

There were none.

340. PUBLIC PARTICIPATION

No requests had been received.

341. REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMITTEE - SCRUTINY WATCHING BRIEF ITEM - PLANNING ENFORCEMENT

The Committee considered the report of the Chief Executive providing background information following a reference from the Overview and Scrutiny Committee (O&S) to this Committee regarding Planning Enforcement.

The report provided background information following the review of this matter by the O&S and its recommendation that this Committee give consideration to receiving future reports on the performance of the Planning Enforcement Team. The report suggested that this could be added to the existing quarterly performance reporting on planning applications and related matters.

The Chairperson thanked Councillor S J N Morgan, Chairperson of the Overview and Scrutiny Committee for attending the meeting. Following a brief introduction of the report from the Head of Performance, Improvement and LGR, Councillor Morgan addressed the Committee and provided background information regarding this item of scrutiny and why it was now being referred to the Committee. He thanked the Head of Service – Planning Policy and Implementation who had assisted the Committee and found the process helpful as an area of focus for her team. The Chairperson asked the Director of Place, Planning and Growth to pass on these thanks to the Head of Service.

In response to a question regarding any resource implications from the proposal, Members were advised that this could be carried out as part of the balanced scorecard exceptions reporting and would not require additional resources.

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

RESOLVED

- (i) That the Committee received and considered the Overview and Scrutiny Committee Working Group's report;
- (ii) That performance reporting on Planning Enforcement be added to the existing Balance Scorecard Exemptions report.

Councillor S J N Morgan left the meeting at this point and did not return.

342. EXTERNAL AUDIT - PROGRESS OF THE AUDIT OF THE ACCOUNTS FOR THE FINANCIAL YEAR 2024/25

The Committee considered the report of the Director of Finance presenting the initial findings report provided by the Council's appointed External Auditor (KPMG) for their audit review of the accounts for the year 2024 / 25. The Chairperson reminded the Committee that these documents had been circulated in a supplementary pack ahead of the meeting.

The Director of Finance presented the report and apologised for the late circulation of the appendices. He commented on the improvement made over the past few years and

referred to the hard work of the Finance Team on the accounts. The Director then referred to Emma Larcombe from KPMG (External Auditors) to provide further information in relation to their reports.

- **Draft Audit Progress report**

This report summarised the key issues identified during the audit, and it was noted that it did not repeat matters previously communicated to the Council through written communication in July 2025. The report had been prepared in connection with the External Auditors Audit of the Council's financial statements as at the year ended March 2025.

Members were advised that this was a draft report as the audit was not yet complete, and matters communicated in the report may change pending finalisation of the audit report. Attention was drawn to page 6 of the supplementary pack 'Our Audit Findings' which outlined the outstanding matters in relation to the audit.

Ms Larcombe took Members through the recommendations they had raised as a result of their work advising that the Council was in a good position and reiterated the comments of the Director of Finance regarding the work of the Finance Team. Page 7 of the supplementary pack set out the outstanding matters. Members were advised that recommendation 5 (set out in the Control Deficiencies appendix) was a duplicate of recommendation 4 and would therefore be deleted.

- **Draft Annual Audit report for the financial year ended 31 March 2025**

This report provided a summary of the findings and key issues arising from the 2024 / 25 audit of the Council. It had been prepared in line with the requirements set out in the Code of Audit Practice published by the National Audit Officer (the 'Code of Audit Practice') and was required to be published by the Council alongside the annual report and accounts.

The report was a high-level overview of the findings of external audit's financial statement audit along with more rationale, and detailed assessment of the findings of Value for Money (VFM) work. Ms Larcombe took Members through the content of the report advising that it was an interim report which would be reissued once the audit had been completed. There were no concerns in terms of Value for Money achieved across the Council.

It was noted that a significance weakness in relation to the production of the accounts had previously been raised and the delay relating to this had been recognised at the time. Given the significant improvement seen this year and the production of the accounts Ms Larcombe informed Members that she was happy for this weakness to be removed.

Mr Smith, the Independent Person, commended the Finance team on the fantastic job it had done under immense pressure. He commented on the work done by the previous Auditors and felt there had not been justification for the ongoing concern that had been disclaimed.

During the debate that ensued a number of questions regarding property valuations were raised and in response the following information was provided:

- External Audit used its own team of valuers, a sample of investment properties valuations would be identified, and the team would review this looking at the underlying assumptions used by the Council's valuation team. It was noted that the differences identified in respect of valuations were both factual errors and

External Audit was comfortable with the rest of the methodology used by the Council. The Leisure Centres were classified as part of the Council's standard portfolio and although they would have been reviewed and valued, they had not been considered in the particular work done by External Audit.

- It was confirmed that Springfield Industrial estate was included in the investment properties list and following review External Audit had confirmed they were happy with valuation.
- In response to further questions, the Director of Finance advised that he was happy to share further details regarding valuations and the different Council assets included.
- A question was raised regarding the Burnham-on-Crouch golf club and the Director of Legal and Governance explained that for every lease the Council entered into a valuation would be done to set the rent. However, the rental value wouldn't necessarily have a direct impact on the value of a property. The valuer would look at the market rent for similar venues as part of their valuation when coming up with a proposed rental value. If Officers were looking to agree a lease below market value, in accordance with the Constitution, this would be brought forward to Members for consideration.

The Chairperson moved the recommendations set out in the report. These were duly seconded and agreed.

The Chairperson thanked Ms Larcombe for joining a meeting of the Finance Working Group and her help in ensuring the Council's processes were accurate and complete.

RESOLVED

- (i) That Members considered the findings presented by the External Auditors, (KPMG) and noted the status of the reports circulated and next steps arising;
- (ii) That Members noted the good progress previously reported to the Finance Working Group based on the feedback received from KPMG as well as the significant pressure placed on Officers in responding to queries.

343. INTERNAL AUDIT REPORTS

The Committee considered the report of the Chief Finance Officer and associated Internal Audit reports from BDP LLP, attached on the agenda as follows:

- 8a) Progress Report (November 2025)
- 8b) Follow-Up of Recommendations Report (November 2025)
- 8c) Waste and Recycling Report (September 2025)
- 8d) Corporate Governance Final Report (October 2025)

The Director of Finance introduced the report, highlighting how the function of Internal Audit provided assurance on key aspects of the Council.

Progress Report (November 2025)

Mr Aaron Winter (BDO LLP) presented his report to the Committee which provided an update on progress made against the 2025 / 26 internal audit plan and summarised the work BDO had completed together with an assessment of the systems reviewed and recommendations raised. It was noted that since the last report to the Committee two further reviews had been finalised; the HR System

Review was now finalised and would be reported to the next meeting and Safeguarding was at final draft stage. The Management of Property audit was moving into report preparation stage and a further three audits planned would be presented to future meetings of this Committee.

Members were advised that the Local Government Review had been deferred from the 2025 / 26 plan, at the request of management, given the current status of Local Government Reorganisation (LGR). This would be replaced with a review of the Medium-Term Financial Strategy.

Follow-Up of Recommendations

Mr Winter presented the report and advised that the outstanding recommendations for 2023 / 24 had been closed. In respect of 2024 / 25 the report highlighted a number of recommendations that had been implemented, and it was noted that there were four outstanding recommendations where revised implementation dates had been provided and were therefore 'in progress'. He reported that there were no overdue recommendations to be reported.

The Chairperson congratulated the Officers and referred to the hard work put in by the Committee in liaising both with Internal and External Audit.

Waste and Recycling (Final Report)

Mr Winter presented the report advising that a review of the Council's waste and recycling service had taken place and outlined the purpose of the review. It was noted that two medium and two low priority recommendations had been raised to support the Council mitigate the identified risks.

The Chairperson commented on the hard work of the Waste Commissioning and Contracts Manager and her team and congratulated them on this work along with the number of bins that were collected in the district whatever the weather.

The Director of Neighbourhood Services and Communities agreed with the Chairperson comments and reported that all the recommendations raised had been closed off prior to the report coming to the Committee.

Corporate Governance (Final report)

Mr Winter presented the report advising that a review of the Council's Corporate Governance had taken place and outlined the purpose of the review. It was noted that two medium and low priority recommendations had been raised to support the Council mitigate the identified risks.

In response to questions regarding the governance in respect of Local Government Reorganisation (LGR), the Chief Executive advised that senior officers from across Essex were meeting to discuss and collate the different types of governance across Essex. However, until the Government had made a decision regarding which type of model Essex would be adopting it was difficult to progress much further, although Officers reassured Members that work was underway.

The Director of Legal and Governance advised that it had been confirmed that the new authority would be a cabinet structure and Monitoring Officers across Essex had also been looking at the governance arrangements. In respect of delegated decisions, policy documents, the constitution for the new authority, these would in time be drafted and brought forward to the executive body for them to decide how they wished the authority to function going forward.

In response to a further question from Mr Smith, Independent Person, the Chairperson advised that Mr Smith would be sent a link to the LGR information on

the Council's website.

It was noted that the Auditors had commented that the Council's member induction programme needed updating. In response to a question regarding whether there would be enough time to put something in place should an election be called last minute, the Chairperson advised that the Council had a Member Training Working Group, and this Committee could make a recommendation to that Group.

The Chairperson referred the Committee to the management response contained on page 80 of the agenda pack and the suggestion that this Committee consider recommending to the Council that non-compliance of training and possible sanctions were explored. This was discussed and it was agreed that rather than applying sanctions the IT team should be approached to identify if it would be possible for a pop-up message to display on Members' laptops to remind them when training was due. The Chairperson advised that should any Member require additional support this could be arranged.

Internal Audit Reports continued

The Chairperson put the recommendations set out in the report and these were duly seconded. The Chairperson suggested that two further recommendations be added:

- That the Council consider requesting that a pop-up message was used to remind Members when training, particularly BoxPhish training was due.
- That at each meeting this Committee receives an update on the Members who had completed training along with those that were outstanding.

These additional recommendations along with those set out the report were duly agreed.

RESOLVED

- (i) That the Committee considers, comments, and approves the following:
 - Progress Report (November 2025) – at 8a;
 - Follow-Up of Recommendations Report (November 2025) – at 8b;
 - Waste and Recycling Report (September 2025) at 8c;
 - Corporate Governance Final Report (October 2025) – at 8d.
- (ii) That the Council considers requesting that a pop-up message was used to remind Members when training, particularly BoxPhish training was due;
- (iii) That at each meeting this Committee receives an update on the Members who had completed training along with those that were outstanding.

344. PLANNING COMMITTEES REVIEW

The Committee considered the report of the Performance, Governance and Audit Working Group seeking Members' review of planning committee arrangements in light of the Planning Infrastructure Bill (the Bill).

The report provided background information regarding the Bill and how it was expected that it would remove Area Planning Committees from legislation. The Performance, Governance and Audit Working Group (the Working Group) had been reviewing Officer

timetables and options for being 'legislation ready' ahead of the next Statutory Annual meeting of the Council.

If the Committee was mindful to accept the recommendations of the Working Group, it was noted that the Council's public speaking protocol could be updated to allow more of a Ward Member role, therefore an updated version was attached at Appendix B to the report. The Working Group had also recommended that the new Planning Committee could be scheduled every three weeks starting at 7pm.

The Head of Performance Improvement and LGR presented the report and gave further explanation of the legislation due to come in around planning committees and moving to a single planning committee. The report detailed recommendations (set out in Appendix A to the report) from the Working Group which proposed a change to the Council's current governance and introduction of a single planning committee from the Statutory Annual Council meeting in May 2026 to ensure that the Council was compliant when the legislation came into effect. The Committee was asked to consider these and make a recommendation to the Council.

The Director of Place, Planning and Growth referred to the thresholds for applications coming to the new Planning Committee and suggested some minor amendments to bring them in line with the normal definition of major development under the Town and Country Planning Act.

Some concern was raised regarding the proposed change to Proviso 3 of the Committee Terms of Reference. Members were advised that the change was proposed because the proviso referred to matters coming back to the District Planning Committee. Following further debate, concern was raised that removing the proviso would allow specific decisions to be determined under delegated powers. Officers provided further clarification, and the Director of Legal and Governance suggested an amendment to the proviso should Members be minded to not delete it from the Terms of Reference.

In response to a query regarding the proposed changes to the call-in process on page 106 of the agenda pack, the Director of Legal and Governance advised that the call-in areas should remain, renumbered and reference to the Area Planning Committees removed.

The Chairperson advised that she didn't think this matter was ready to be recommended to the Council for consideration. She then proposed that the recommendations were not carried out at this stage but wait until the new legislation came in. However, in the meantime Officers could work with the Working Group to alleviate the areas of concerns raised. This proposal was duly seconded.

RESOLVED that no changes be made to the Council's governance arrangements relating to Area Planning or District Planning Committees.

There being no other items of business the Chairperson closed the meeting at 9.12 pm.

W STAMP, CC
CHAIRPERSON