

Audit and Governance Committee

**Tuesday, 30 October 2018 at 6.30pm
in the Belle Vue Suite, Belle Vue Offices, Skipton**

The Chairman (Councillor Harbron) and Councillors Barrett, Brockbank, Brown, Hull, Lis, Mercer, Place and Whitaker

Independent Person: Mr G Robinson

AGENDA

Exclusion of the Public: In accordance with the Council's Access to Information Procedure Rules, Members are recommended to exclude the public from the meeting during the consideration of agenda item 7b on the grounds that it is likely that if members of the public were present that there would be disclosure to them of exempt information as defined in Paragraph 3 (relates to the financial or business affairs of any person including the Authority holding that information) of those Rules and Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

- 1. Apologies for absence**
- 2. Minutes** – To confirm the minutes of the meeting held on 4 September 2018.
- 3. Public Participation** – In the event that any questions/statements are received or members of the public attend, the public participation session will proceed for a period of up to fifteen minutes.
- 4. Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a “**disclosable pecuniary interest**” under Appendix A to the Council's Code of Conduct, or “**other interests**” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

- 5. External Audit: Annual Audit Letter** – Report of the External Auditor

Purpose of Item – To present the Annual Audit Letter for the year ended 31 March 2018.

6. Internal Audit Progress Report – Report of the Audit Services Manager

Purpose of Item – To present an update on progress made against the 2018/19 Internal Audit plan up to 30 September 2018.

7. (a) Internal Audit – Implementation of Recommendations – Report of the Chief Finance Officer (s151 Officer)

Purpose of Report – To present an update on implementation of internal audit recommendations.

(b) Internal Audit Report – Report of the Audit Services Manager (Excluded)

Purpose of report – To present an Audit Services report in relation to Software Asset Management.

8. Revised Planning Scheme of Delegation – Report of the Solicitor to the Council and Monitoring Officer

Purpose of Item – To consider revisions to the Planning Scheme of Delegation.

9. Review of Polling Districts and Polling Places – Report of the Chief Executive (Returning Officer)

Purpose of Item – To present an update on a Review of Polling Districts and Polling Places for the Craven District.

10. Regulation of Investigatory Powers Act 2000 – Report of the Solicitor to the Council and Monitoring Officer

Purpose of Item – To present an update on the Council's use of covert surveillance under the Regulation of Investigatory Powers Act 2000. The report also provides an update on a recent desktop inspection undertaken by the Investigatory Powers Commissioner's Office.

11. Any other items which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

Agenda Contact Officer:

Guy Close, Democratic Services Manager

Tel: (01756) 706226

E-mail: gclose@cravendc.gov.uk

Recording at Council Meetings: Recording is allowed at Council, Committee and Sub-Committee meetings which are open to the public, subject to

(i) the recording being conducted with the full knowledge of the Chairman of the meeting; and

(ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the agenda contact officer (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

Emergency Evacuation Procedure

In case of an emergency, or if the alarm sounds, leave the meeting room and exit the building using the main doors onto the Square. If those doors are not available, please use the nearest available door.

The assembly point is in Belle Vue Square at the front of the building, nearest the main road. An officer will take a roll call once everyone is out of the building.

Please do not leave a meeting without telling the Chairman or a representative of Legal and Democratic Services.

Terms of Reference – Audit and Governance Committee

(a) In relation to internal and external audit activities, to:

- draw together the key components of corporate governance in relation to audit; promoting internal control, focusing audit resources and monitoring the management and performance of the providers of Internal Audit Services;
- consider the Annual Report and Opinion from Internal Audit, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements;
- consider summaries of specific internal audit reports focusing on those areas that receive 'limited assurance';
- consider a report from Internal Audit on the implementation status of agreed recommendations;
- consider the External Auditor's Annual Letter, relevant reports, plans, and report to those charged with governance;
- consider specific reports as agreed with the External Auditor;
- comment on the scope and depth of External Audit work and to ensure it gives value for money;
- liaise with the Audit Commission over the appointment of the Council's External Auditor; and
- approve the annual work programmes for Internal and External Audit and, in exceptional cases, to have the ability to commission work directly from audit providers.

(b) In relation to the Council's regulatory framework, to:

- ensure the effective development and operation of corporate governance within the Council and to maintain the Council's Constitution : the Standards Committee to be consulted on the review of any codes and protocols that relate to the ethical framework;
- review issues referred to it by the Chief Executive, Director, Corporate Head or any Council body;
- approve the corporate risk management framework in accordance with the Risk Management Strategy and Policy Statement; and monitor the effective development and operation of the risk management process: make any necessary changes to the process, including any recommendations for changes to the Strategy and Policy Statement;
- monitor Council policies on 'Whistle-blowing' and the Anti-fraud and Anti-corruption strategy;
- monitor progress on implementation of Internal Audit recommendations;
- oversee the production of the authority's Statement on Internal Control and to

- recommend its adoption to the Policy Committee / Council;
- consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice; and
- consider the Council's compliance with its own and other published standards and controls.
- Monitor the use of the Regulation of Investigatory Powers Act 2000.

(c) In relation to the Council's Financial Statements / Accounts, to:

- review and approve the annual Statement of Accounts, including whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Policy Committee / Council.
- consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.

(d) Under Part 4 (Parishes), Chapter 3 (Reorganisation) of the Local Government and Public Health Act 2007 (and any amending legislation):

- to be responsible for conducting community governance reviews within the District.

AUDIT AND GOVERNANCE COMMITTEE

4 September 2018

Present – The Vice Chair (Councillor Brockbank) and Councillors Barrett, Brown, Hull, Lis, Mercer Place and Whitaker.

Officers – Chief Executive, Chief Finance Officer (s151 Officer), Accountancy Services Manager and Democratic Services Manager.

Apologies for absence were received from Councillor Harbron and Greg Robinson (Independent Person).

Start: 6.30pm

Finish: 7.25pm

The minutes of the meeting held on 26 June 2018 were approved as a correct record and signed by the Chair.

Minutes for Report

AC.324

EXTERNAL AUDIT: AUDIT COMPLETION REPORT

A report was submitted by Mazars LLP, which presented the findings from its audit of Craven District Council (CDC) for the year ended 31 March 2018.

The Chair welcomed to the meeting, Mark Kirkham and Gavin Barker of Mazars LLP, the Council's external auditors, to present the report.

In presenting the report, it was reported that the statutory audit deadline of 31 July 2018 had not been met, due to issues with the valuation of Property, Plant and Equipment. CDC had subsequently re-performed its valuations, which had resulted in a delay to the timetable. It was confirmed that the audit work in relation to the re-valuation process was now complete.

Members' attention was drawn to a correction to the Audit Completion Report on page 4 of the report under the heading 'Materiality'. It was advised that the final assessment of materiality should be stated as £431,000 and the trivial threshold as £13,000, not £418,500 and £12,555 as had been reported.

It was advised that during the course of the audit that some significant risks had been identified in relation to the following areas:

- Management override of controls;
- Revenue recognition – fees and charges;
- Property, plant and equipment valuations; and
- Defined benefit pension liability valuation.

Gavin Barker outlined the findings in relation to each of the significant risks that had been identified.

In relation to the value for money conclusion, the overall criterion was that 'in all significant respects, the Council had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.'

Resolved –

- (a) That the Audit Completion Report for the year ended 31 March 2018 is accepted.
- (b) That the required Management Representations Letter in respect of the audit is

approved for signing by the Section 151 Officer.

(c) That the External Auditors and the Financial Services Team are thanked for their work.

AC.325

STATEMENT OF ACCOUNTS 2017/18

The Chief Finance Officer (s151 Officer) submitted a report which presented the 2017/18 Statement of Accounts.

The key areas of discussion were:

- Some concern that there had been a slight fall in the percentage rate of household waste sent for reuse, recycling and composting during 2017/18. It was felt that the slight dip in performance was due to residents getting used to the new recycling arrangements and that efforts to encourage increased recycling were ongoing.
- A request that a list of pension fund investments be provided to Committee Members. It was advised that details of pension fund investments were available on the North Yorkshire County Council (NYCC) website.

Resolved – That the audited Statement of Accounts for 2017/18 are approved.

Minutes for Decision

There were no items for decision.

Chairman.



Annual Audit Letter

Craven District Council
Year ending 31 March 2018





CONTENTS

1. Executive summary
2. Audit of the financial statements
3. Value for money conclusion
4. Other reporting responsibilities
5. Our fees
6. Forward look

Our reports are prepared in the context of the 'Statement of responsibilities of auditors and audited bodies' issued by Public Sector Audit Appointments Ltd. Reports and letters prepared by appointed auditors and addressed to members or officers are prepared for the sole use of the Council and we take no responsibility to any member or officer in their individual capacity or to any third party.

Mazars LLP is the UK firm of Mazars, an international advisory and accountancy group. Mazars LLP is registered by the Institute of Chartered Accountants in England and Wales.

1. EXECUTIVE SUMMARY

Purpose of the Annual Audit Letter

Our Annual Audit Letter summarises the work we have undertaken as the auditor for Craven District Council (the Council) for the year ended 31 March 2018. Although this letter is addressed to the Council, it is designed to be read by a wider audience including members of the public and other external stakeholders.

Our responsibilities are defined by the Local Audit and Accountability Act 2014 (the 2014 Act) and the Code of Audit Practice issued by the National Audit Office (the NAO). The detailed sections of this letter provide details on those responsibilities, the work we have done to discharge them, and the key findings arising from our work. These are summarised below.

Area of responsibility	Summary
Audit of the financial statements	<p>Our report issued on 4 September 2018 included our opinion that the financial statements:</p> <ul style="list-style-type: none">• give a true and fair view of the Council's financial position as at 31 March 2018 and of its expenditure and income for the year then ended; and• have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2017/18. <p>Our opinion was issued after the statutory deadline of 31 July 2018, as a result of issues discussed later in this report.</p>
Other information published alongside the audited financial statements	<p>Our report included our opinion that the other information in the Statement of Accounts is consistent with the audited financial statements.</p>
Value for money conclusion	<p>Our report concluded that we are satisfied that in all significant respects, the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2018.</p>
Reporting to the group auditor	<p>On 4 September 2018 we reported that your activity was below the threshold set by the NAO, meaning we were not required to review the Whole of Government Accounts return.</p>
Statutory reporting	<p>Our report confirmed that we did not use our powers under s24 of the 2014 Act to issue a report in the public interest or to make written recommendations to the Council.</p>

Failure to meet the statutory deadline

From 2017/18 there has been a change in the statutory timetable for accounts and audit and your officers were required to produce draft financial statements by 31 May (previously 30 June) and the audit deadline was brought forward to 31 July (previously 30 September). The 31 July deadline could not be met, due to issues with the valuation of Property, Plant and Equipment. As a result of deficiencies in the initial valuation process and a lack of supporting documentation in support of the valuations, the Council had to re-perform its valuations, resulting in delays to the accounts approval and audit processes. We are pleased to report that the re-valuation process was subsequently completed. The process resulted in material adjustments to the financial statements, which were reflected in the financial statements approved by the Audit and Governance Committee on 4 September 2018.

2. AUDIT OF THE FINANCIAL STATEMENTS

Opinion on the financial statements	Unqualified
-------------------------------------	-------------

The scope of our audit and the results of our work

The purpose of our audit is to provide reasonable assurance to users that the financial statements are free from material error. We do this by expressing an opinion on whether the statements are prepared, in all material respects, in line with the financial reporting framework applicable to the Council and whether they give a true and fair view of the Council's financial position as at 31 March 2018 and of its financial performance for the year then ended.

Our audit was conducted in accordance with the requirements of the Code of Audit Practice issued by the NAO, and International Standards on Auditing (ISAs). These require us to consider whether:

- the accounting policies are appropriate to the Council's circumstances and have been consistently applied and adequately disclosed;
- the significant accounting estimates made by management in the preparation of the financial statements are reasonable; and
- the overall presentation of the financial statements provides a true and fair view.

Our approach to materiality

We apply the concept of materiality when planning and performing our audit, and when evaluating the effect of misstatements identified as part of our work. We consider materiality at numerous stages throughout the audit process, in particular when determining the nature, timing and extent of our audit procedures, and when evaluating the effect of uncorrected misstatements. An item is considered material if its misstatement or omission could reasonably be expected to influence the economic decisions of users of the financial statements.

Judgements about materiality are made in the light of surrounding circumstances and are affected by both qualitative and quantitative factors. As a result we have set materiality for the financial statements as a whole (financial statement materiality) and a lower level of materiality for specific items of account (specific materiality) due to the nature of these items or because they attract public interest. We also set a threshold for reporting identified misstatements to the Audit and Governance Committee. We call this our trivial threshold.

The table below provides details of the overall materiality levels applied in the audit of the Council's financial statements for the year ended 31 March 2018.

Financial statement materiality	Our financial statement materiality is based on 2% of gross operating expenditure.	£431k
Trivial threshold	Our trivial threshold is based on 3% of financial statement materiality.	£13k

2. AUDIT OF THE FINANCIAL STATEMENTS

Our response to significant risks and key areas of management judgement

As part of our continuous planning procedures we considered whether there were risks of material misstatement in the Council's financial statements that required special audit consideration. We reported significant risks and key areas of management judgement identified at the planning stage to the Audit and Governance Committee within our Audit Strategy Memorandum and provided details of how we responded to those risks in our Audit Completion Report. The table below outlines the identified significant risks and judgements, the work we carried out on those risks and our conclusions.

Identified significant risk	Our response	Our findings and conclusions
<p>Management override of controls</p> <p>Management at various levels within an organisation are in a unique position to perpetrate fraud because of their ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Because of the unpredictable way in which such override could occur, we consider there to be a risk of material misstatement and a significant risk on all audits.</p>	<p>We addressed this risk by performing audit work in respect of:</p> <ul style="list-style-type: none">• accounting estimates impacting on amounts included in the financial statements;• significant transactions outside the normal course of business; and• journals recorded in the general ledger and other adjustments made in preparation of the financial statements.	<p>Our work provided the assurance we sought and did not highlight any material issues to bring to your attention. We found no indication of management override of controls.</p>
<p>Revenue recognition – fees and charges</p> <p>In accordance with ISA 240 we presume there is a risk of fraud in respect of the recognition of revenue because of the potential for inappropriate recording of transactions in the wrong period. ISA 240 allows the presumption to be rebutted, and we have done this in relation to the Council's most significant sources of income, taxation and grant income.</p> <p>Our view is that there is insufficient scope within the recognition of fees and charges to conclude that there are grounds for rebuttal in that particular income stream. This does not imply that we suspect actual or intended manipulation but that we continue to deliver our audit work with appropriate professional scepticism.</p>	<p>We evaluated the design and implementation of controls to mitigate the risk of income being recognised in the wrong period.</p> <p>In addition, we undertook a range of substantive procedures including:</p> <ul style="list-style-type: none">• testing receipts in March, April and May 2018 to ensure they had been recognised in the right year;• testing material year end receivables;• testing adjustment journals;• obtaining direct confirmation of year-end bank balances; and• testing the reconciliations to the ledger. <p>In respect of fees and charges, we have used higher sample sizes reflecting the significant risk in this area.</p>	<p>Our work provided the assurance we sought and did not highlight any material issues to bring to your attention. We did not find any evidence of revenue being recognised in the wrong year.</p>

2. AUDIT OF THE FINANCIAL STATEMENTS

Identified significant risk	Our response	Our findings and conclusions
<p>Defined benefit liability valuation</p> <p>The financial statements contain material pension entries in respect of retirement benefits. The calculation of these pension figures, both assets and liabilities, can be subject to significant volatility and includes estimates based upon a complex interaction of actuarial assumptions. This results in an increased risk of material misstatement.</p>	<p>In addition to our standard programme of work in this area, we have evaluated the management controls in place to assess the reasonableness of the figures provided by the Actuary and we have considered the reasonableness of the Actuary's output, referring to an expert's report on all actuaries nationally which is commissioned annually by National Audit Office.</p>	<p>We did not identify any issues with the figures provided by the actuary. We did identify the need for amendments to the financial statements to ensure that the actuarial figures were correctly reflected in the Comprehensive Income and Expenditure Statement and Movement in Reserves Statement, particularly in relation to a prepayment relating to 2018/19 and 2019/20. Although this resulted in a number of technical amendments to the financial statements, this did not impact on the substance of the underlying transactions.</p>
<p>Property, plant and equipment (PPE) valuations</p> <p>The financial statements contain material entries on the Balance Sheet as well as material disclosure notes in relation to the Council's holding of PPE.</p> <p>Although the Council employs a valuation expert to provide information on valuations, there remains a high degree of estimation uncertainty associated with the revaluation of PPE due to the significant judgements and number of variables involved in providing revaluations. We have therefore identified the revaluation of PPE to be an area of risk. This is also the first full year of valuations to be provided by the in-house valuation service.</p>	<p>We have considered the Council's arrangements for ensuring that PPE values are reasonable and engaged our own expert to provide data to enable us to assess the reasonableness of the valuations provided by the Council's valuer. We have also assessed the competence, skills and experience of the valuer.</p> <p>We have performed procedures to evaluate the accuracy and reasonableness of transactions processed in the year in relation to property, plant and equipment.</p>	<p>Following the identification of issues around the process of establishing PPE valuations and a lack of supporting documentation, the Council engaged new experts to re-perform the valuations due to take place in 2017/18. This included £12m of operational land and buildings and all of the Council's Investment Properties.</p> <p>After completing our work on the updated valuation exercise, we have gained assurance that PPE Valuations are not materially misstated. The amendments resulting from this process were reflected in the financial statements approved by the Audit and Governance Committee on 4 September 2018.</p>

2. AUDIT OF THE FINANCIAL STATEMENTS

Identified key area of management judgement	Our response	Our findings and conclusions
Business Rates Appeals The Council is dependent on the Valuation Office Agency (VOA) for information regarding appeals against Business Rates bills. Management applies judgement in order to create a reasonable basis for the provision, given the level of appeals and other relevant information.	We reviewed the basis for the judgements used in creating the provision and assessed the reasonableness of any estimates.	There were no issues arising from our work.
Depreciation The annual depreciation charged against the Property, Plant and Equipment involves an estimation of both the valuation of the asset and the remaining useful economic life of the asset. The valuations risk was identified as a significant risk in the previous section. The residual risk around the remaining useful economic lives of assets is a key area of judgment, but does not amount to a significant risk to the audit.	In conjunction with the procedures being performed to assess the reasonableness of the work performed by the valuation experts, we have reviewed the asset lives used and performed substantive procedures to establish if the estimates are reasonable.	Similarly to our report in 2016/17, we report that the Council has not simultaneously “re-lifed” assets that have been revalued.
Accruals A key accounting concept determines that expenditure and income should be accounted for in the period to which they relate, therefore management needs to assess transactions and apply judgement to ensure that they are translated into the appropriate accounting period.	We have reviewed a sample of balance sheet entries relating to income and expenditure and also reviewed the process used by management to create those entries.	There were no significant issues arising from our work.

Significant difficulties during the audit

We received a full set of financial statements which were also published on the Council website on the statutory deadline of 31 May 2018. The Chief Finance Officer alerted us, ahead of this deadline, that the finance team had experienced difficulties, stemming from an unidentified error. The statements were submitted on time, with the error included. The error was subsequently identified by officers and rectified prior to our audit fieldwork commencing, which has limited, albeit, not completely eliminated, the impact this has had on the smoothness of our audit.

The Council's work to produce adequate valuations was carried out late in the final accounts process and there were issues concerning the availability of officers. When we asked to see the information supporting the property valuations, nothing of substance was forthcoming and the Chief Finance Officer agreed to have the valuations re-performed.

This caused us some abortive work in relation to tracking down the initial information, significant delays to our fieldwork and slippage in the planned timetable, including the failure to hit the statutory audit deadline of 31 July 2018. We would encourage management to alert us and act on such issues more readily in future. Once the need to carry out the valuations again was clarified, however, management acted promptly to rectify the position.

Overall, we were provided with a good set of electronic working papers that have demonstrated a marked improvement on previous years and our queries have been responded to in a timely fashion.



2. AUDIT OF THE FINANCIAL STATEMENTS

Internal control recommendations

As part of our audit we considered the internal controls in place that are relevant to the preparation of the financial statements. We did this to design audit procedures that allow us to express our opinion on the financial statements, but this did not extend to us expressing an opinion on the effectiveness of internal controls.

Three deficiencies in internal control were identified during the audit.

Valuations of PPE and Investment Property

Description of deficiency

There have been significant delays to the progress of the audit due to evidence not being provided by the valuer to the finance team in a timely fashion. Some of the issues in this area relate to unavoidable staffing issues, but there were opportunities for finance to act quicker to respond to the issues and seek alternative arrangements or ensure the instructions issued to the valuer were adhered to.

Potential effects

It is a requirement of the CIPFA Code of Practice (The Code) in section 4.1.2.39 that The Council will need to obtain the valuations performed by an appropriately qualified individual and the valuations will need to be supported by appropriate evidence, sufficient for us to assess and review the underlying assumptions and valuation basis used.

The valuation of PPE has been highlighted as a significant risk for the reasons outlined earlier in this report, therefore it is imperative that calculations are well supported and produced by an appropriately qualified and experienced valuer.

Recommendation

The Council should ensure there are robust arrangements in place to ensure the valuations of fixed assets are performed by an appropriately qualified individual who provides the required information to the appropriate standard in a timely fashion.

Management response

The Council acknowledge and accept the recommendation. There have been exceptional and unforeseen circumstances that have arisen this year which all contributed to the problem, this included a number of staffing issues which, although unforeseen, should have been addressed more proactively. Procedures will be put into place to ensure that the work is carried out by an appropriately qualified individual and provided to Finance in a timely manner going forward.

2. AUDIT OF THE FINANCIAL STATEMENTS

Reassessment of asset lives
<p>Description of deficiency</p> <p>We recommend that when assets are revalued, the council should also ensure that assets are ‘re-lived’ at the same time (also a recommendation in 2016/17).</p>
<p>Potential effects</p> <p>The base for the value of a Council asset involves a number of assumptions and, if this does not incorporate assessing the remaining useful economic life of the asset, valuations can become less meaningful and result in an overstatement of both revaluation and subsequent depreciation.</p>
<p>Recommendation</p> <p>The Council finance team should ensure the instructions to the valuer are clear and adhered to, acting in a timely fashion when it appears there may be issues in receiving the correct information.</p>
<p>Management response</p> <p>The Council agree with the recommendation and will resolve to put into place the procedure to ensure that the remaining lives of Council assets are also assessed and reported on, as part of the revaluation works carried out. It will form part of the terms of engagement issued to the valuer.</p>

Unpresented cheques
<p>Description of deficiency</p> <p>In our work reviewing the bank reconciliation, we identified a cheque outstanding from 2016/17.</p>
<p>Potential effects</p> <p>In our previous Audit Completion report in 2016/17 we reported that the Council should remove old cheques from the bank reconciliation. This is included again this year and as has been ranked as a higher priority.</p>
<p>Recommendation</p> <p>In the short term, cheques over 6 months old should be written off from the unpresented cheques listing. Over a longer term, the Council should ensure review processes to ensure that, with sufficient regularity, old cheques are removed from the bank reconciliation, unless there is a legitimate reasons for their continued inclusion.</p>
<p>Management response</p> <p>It is acknowledged that this recommendation has been brought forward from the 2016/17. The Council will ensure that robust procedures are put into action to avoid this from occurring again and all cheques older than 6 months be dealt with as part of the reconciliation process each month. As a result of changes in personnel this particular recommendation has been missed. It is resolved that the current Finance team will ensure that previous recommendations form part of the planning stage of the Closedown process.</p>

3. VALUE FOR MONEY CONCLUSION

Value for money conclusion	Unqualified
----------------------------	-------------

Our audit approach

We are required to consider whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The NAO issues guidance to auditors that underpins the work we are required to carry out in order to form our conclusion, and sets out the criterion and sub-criteria that we are required to consider.

The overall criterion is that, 'in all significant respects, the Council had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.' To assist auditors in reaching a conclusion on this overall criterion, the following sub-criteria are set out by the NAO:

- informed decision-making;
- sustainable resource deployment; and
- working with partners and other third parties.

Our auditor's report, issued to the Authority on 4 September 2018, stated that, in all significant respects, the Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2018.

Sub-criteria	Commentary	Arrangements in place?
Informed decision - making	<p>The Council has a Constitution which is subject to regular review. This clearly details the governance structure of the Council. The Council has an active Audit and Governance Committee. The Constitution includes Members and Officer's Codes of Conduct.</p> <p>A clear plan that sets out the Council's vision and priorities for the financial years 2017/2020. The priorities include Enterprising Craven, Resilient Communities and Financial Sustainability. Delivery of priorities is monitored in quarterly performance reports and in the Council's Annual Report.</p> <p>New decisions are supported by reports that outline appropriate options and relevant considerations, including references to financial, legal and performance issues where appropriate. There is evidence of financial reporting being used to deliver strategic objectives, for example, through the Medium Term Financial Strategy. In addition, regular financial reporting takes place, with formal reporting quarterly to the Policy Committee.</p> <p>Performance issues are included in reports where appropriate, and overall performance outcomes are monitored quarterly and also included in the Council's Annual Report.</p> <p>The Council has a risk management strategy and framework in place. The Council's system of internal control is subject to Internal Audit and for 2017/18, the Council's internal auditors have given an opinion that fundamentally sound systems of internal control are in place.</p> <p>An Audit and Governance Committee is in place to oversee the governance framework including the work of internal audit and approval of the Council's financial statements. The Annual Governance Statement includes a balanced assessment of the effectiveness of the Council's governance arrangements and identifies appropriate areas for further improvement.</p>	Yes



3. VALUE FOR MONEY CONCLUSION

Sub-criteria	Commentary	Arrangements in place?
Sustainable resource deployment	<p>The Council has made good progress in addressing the financial challenges from public sector austerity and has a proven track record of strong budget management and delivering planned budget reductions.</p> <p>We considered the Medium-Term Financial Strategy (MTFS) as a whole, critically challenging the assumptions it has been based on. The success of the MTFS depends on the delivery of the planned savings and additional income sources, which the Council itself acknowledges is a key financial risk to monitor. This is in addition to other risks which require careful monitoring and further work in the coming years, for example, the fair funding review and changes in business rates.</p> <p>The regular updates of the MTFS are good practice, as well as the period covered of three years, with the Long Term Financial Strategy covering up to 2023/24. The Council is aware it needs to keep its MTFS under review, in light of current key financial risks as well as any emerging ones and that each year should not be taken in isolation, but future years' needs and pressures kept under review. Strong underlying budget monitoring remains crucial to the overall resilience of the Council.</p> <p>The Council recognises the importance of a robust workforce strategy and having a sustainable workforce to support its strategic priorities, which may be increasingly made up of a mix of public, private and voluntary support.</p> <p>The Council has utilised earmarked reserves in the year of £254k. The Medium Term Financial Plan includes further use of £421k for 2018/19 but for the use of reserves to balance the budget to significantly reduce after this. The Council has relatively limited reserves at its disposal, meaning that strong budget management and the careful management of costs and identification of new income sources are even more important.</p>	Yes
Working with partners and other third parties	<p>The Council has delivered on a plan to create a Joint Venture in the year which has a pipeline of projects to deliver further improvements in the district across each of the three priorities. This venture utilises a third party and also promises to utilise further third parties in the delivery of each project.</p> <p>The Council has a track record of working with partners. Reporting on significant partnerships is incorporated into the Performance Monitoring Reports.</p> <p>The Council's Constitution details the arrangements for contracting with third parties.</p> <p>The Council has a Procurement Strategy and Contract Procedure Rules together with supporting policies that are designed to ensure supplies and services are procured effectively.</p>	Yes

3. VALUE FOR MONEY CONCLUSION

Significant audit risks

The NAO’s guidance requires us to carry out work to identify whether or not a risk to the value for money conclusion exists. Risk, in the context of our work, is the risk that we come to an incorrect conclusion rather than the risk of the arrangements in place at the Council being inadequate. In our Audit Strategy Memorandum, we reported that we had identified one significant value for money audit risk.

Pressure on financial resources

Description

Our audit work in previous years has concluded that the Council has arrangements in place for medium term financial planning. The Council, however, continues to face financial pressure in the coming years and the Council has recently updated its Medium Term Financial Strategy (MTFS).

We need to ensure our knowledge of the Council’s MTFS arrangements and its monitoring of the planned delivery of savings, remains up to date in order to ensure we give the correct VFM conclusion.

Work undertaken

Building on our work in previous years, we have reviewed the Council’s updated MTFS to ensure it reflects the latest funding position and reviewed and updated our knowledge of the arrangements the Council has in place to monitor progress against its savings plans and income projections that underpin the MTFS.

Conclusion

In the 2018/19 budget, the Council identified that over the medium-term by 2021/22 it faced a budget gap to be funded by savings of £655k.

The budget for 2018/19 has been balanced utilising £431k of earmarked General Fund Reserves; the current year budget required £254k of Reserves. The Council has limited reserves and drawing on the reserves it does have is not sustainable.

The medium term projections describe less future dependency on reserves, albeit with savings still to be identified. The Council is well aware of the need to produce the required savings and has taken steps in the year to increase income via a joint venture which should start to yield some benefit over a longer term horizon.

The Council has a pipeline of projects which is expected to deliver saving required to bridge the budget gap in 2019/20 and meets regularly to track and update these savings plans.

Monitoring the identification and delivery of future savings and the maintenance of an adequate level of reserves is an important area of focus for the Council.



4. OTHER REPORTING RESPONSIBILITIES

Exercise of statutory reporting powers	No matters to report
Completion of NAO group audit reporting requirements	Below reporting threshold
Other information published alongside the audited financial statements	Consistent

The NAO's Code of Audit Practice and the 2014 Act place wider reporting responsibilities on us, as the Council's external auditor. We set out below, the context of these reporting responsibilities and our findings for each.

Matters which we report by exception

The 2014 Act provides us with specific powers where matters come to our attention that, in our judgement, require reporting action to be taken. We have the power to:

- issue a report in the public interest;
- make a referral to the Secretary of State where we believe that a decision has led to, or would lead to, unlawful expenditure, or an action has been, or would be unlawful and likely to cause a loss or deficiency; and
- make written recommendations to the Council which must be responded to publically.

We have not exercised any of these statutory reporting powers.

Reporting to the NAO in respect of Whole of Government Accounts (WGA) consolidation data

On 4 September 2018 we reported that your activity was below the threshold set by the NAO, meaning we were not required to review the Whole of Government Accounts return.

Other information published alongside the financial statements

The Code of Audit Practice requires us to consider whether information published alongside the financial statements is consistent with those statements and our knowledge and understanding of the Council. In our opinion, the other information in the Statement of Accounts is consistent with the audited financial statements.

5. OUR FEES

Fees for work as the Council's auditor

We reported our proposed fees for the delivery of our work in the Audit Strategy Memorandum, presented to the Audit and Governance Committee in April 2018.

Having completed our work for the 2017/18 financial year, we can confirm that our final fees are as follows:

Area of work	2017/18 proposed fee	2017/18 final fee
Delivery of audit work under the NAO Code of Audit Practice	£45,819	£49,778 *
Certification of Housing Benefit Subsidy claim	£7,060	£7,060 **

* Additional fee of £3,959 arising from additional work due to issues arising and delays – agreed with Chief Finance Officer, but subject to approval by Public Sector Audit Appointments Limited.

** subject to completion of work.

Fees for other work

In addition to the fees outlined above, Mazars has been separately engaged by the Council to carry out additional work as set out in the table below. Before agreeing to undertake any additional work we consider whether there are any actual, potential or perceived threats to our independence, and our considerations in this respect were fully reported in the Audit Strategy Memorandum.

Area of work	2017/18 final fee
VAT work	£13,560

6. FORWARD LOOK

Financial outlook

Overall, the Council has continued to make good progress in addressing the financial challenges from public sector austerity, although it faces further challenges in future years.

In the 2018/19 budget, the Council identified that over the medium-term by 2021/22 it faced a budget gap to be funded by savings of £655k.

The budget for 2018/19 has been balanced utilising £431k of earmarked General Fund Reserves; the current year budget required £254k of Reserves. The Council has limited reserves and drawing on the reserves it does have is not sustainable.

The medium term projections describe less future dependency on reserves, albeit with savings still to be identified. The Council is well aware of the need to produce the required savings and has taken steps in the year to increase income via a joint venture which should start to yield some benefit over a longer term horizon.

The Council has a pipeline of projects which is expected to deliver saving required to bridge the budget gap in 2019/20 and meets regularly to track and update these savings plans.

Monitoring the identification and delivery of future savings and the maintenance of an adequate level of reserves is an important area of focus for the Council.

Looking forward to 2020/21, the Council is facing major uncertainties in relation to business rates retention and the fair funding review.

Operational and strategic challenges

As set out above, the Council continues to face the same austerity pressures as other public sector bodies, meaning that a key area of focus for the Council will be continued strong budget management and the identification of further savings in the base budget, wherever possible.

Against this backdrop, the Council will require organisational capacity, continued good governance and strong risk and project management arrangements. The Council will need to ensure operational and financial plans deliver statutory duties within available resources.

How we will work with the Council

In terms of the technical challenges that officers face around the production of the statement of accounts, we will continue to work with them to share our knowledge of new accounting developments and we will be on hand to discuss any issues as and when they arise. A key focus in the coming year will be the adoption of IFRS 9 Financial Instruments, a new standard for 2018/19, which changes the approach to financial assets and accounting for impairment.

Looking further ahead, IFRS 16 Leases is a new standard to be adopted from 2019/20, which establishes a new model for lessees and removes existing classifications of operating and finance leases. It is anticipated that the impact on the accounts of this could be material.

We will continue to offer accounting workshops to finance officers and the audit team will continue to work with them to share our knowledge of new accounting developments and we will be on hand to discuss any issues as and when they arise.

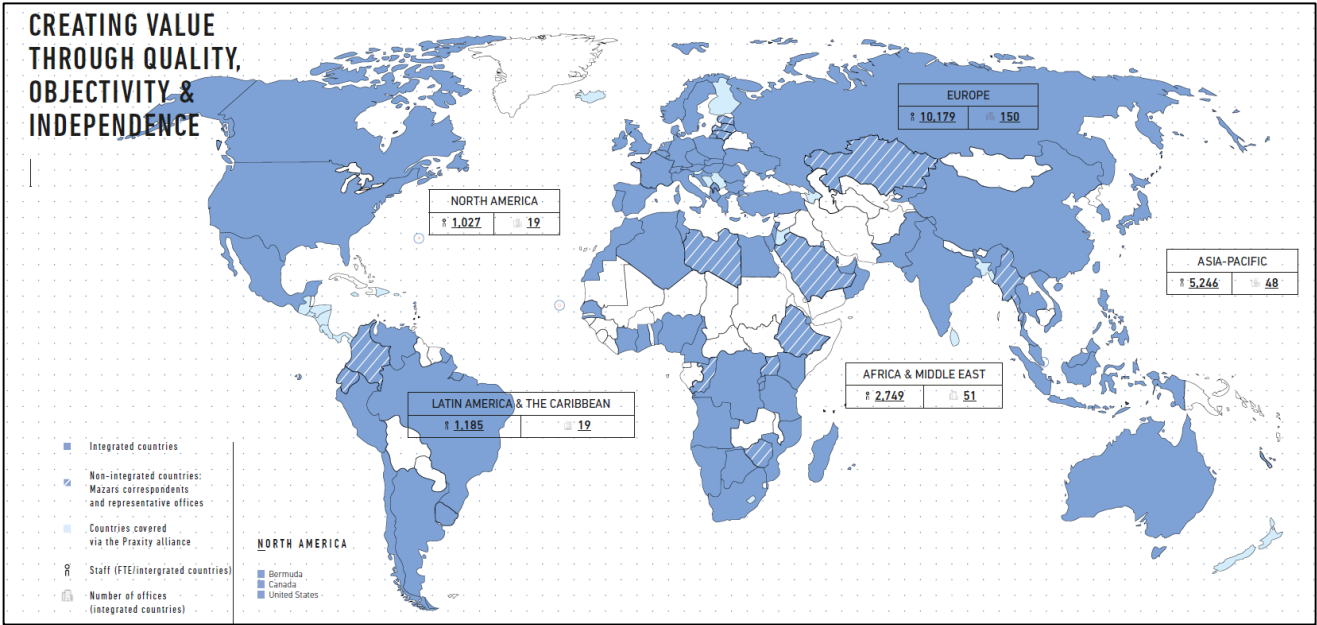


MAZARS AT A GLANCE

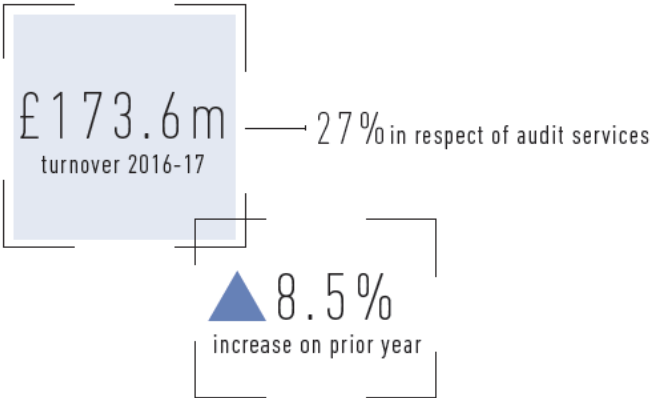
Mazars LLP

- Fee income €1.5 billion
- Over 86 countries and territories
- Over 300 locations
- Over 20,000 professionals
- International and integrated partnership with global methodologies, strategy and global brand

Mazars Internationally



Mazars in the UK



As at 31 August 2017

CONTACT

Mark Kirkham

Partner

Phone: 0113 387 8850

Mobile: 0774 776 4529

Email: mark.kirkham@mazars.co.uk

Gavin Barker

Senior Manager

Phone: 0191 383 6300

Mobile: 0789 668 4771

Email: gavin.barker@mazars.co.uk

Audit & Governance Committee – 30 October 2018

Audit Services Progress Report as at 30 September 2018



Report of the Audit Services Manager – Shared Internal Audit Service

Ward(s) affected: All

1. **Purpose of Report**

- 1.1 To update Committee Members on the progress made against the 2018/19 Internal Audit plan up to 30 September 2018.
- 1.2 To update members on the recruitment of Audit Services Manager.

2. **Recommendations**

Members are recommended to:-

- 2.1 Note the contents of the report and the attached Appendix.

3. **Background Information**

- 3.1 The work undertaken by Audit Services is governed by the Accounts and Audit (England) Regulations 2011 and the Public Sector Internal Audit Standards (PSIAS). In accordance with paragraph 2.11 of the Standards, the Audit Committee must receive progress reports detailing progress made against the agreed Annual Audit Plan.

4. **The Report**

- 4.1 The Audit Services Manager post has been vacant since the 30 August 2018. Interim arrangements have been arranged with the post to be covered from the 26 October. The permanent post is to be re-advertised very soon.
- 4.2 This report details the work undertaken by Audit Services and contains a summary of completed reviews along with the overall audit opinion given.

4.3 **Breakdown of Current Position as at 30th September 2018**

2017/18 audits

2017/18 Audits	Audit Opinion	Current Status
Software Asset Management	Good	A&G Committee October
NNDR		Draft
Council Tax		Draft

2018/19 Audits

2018/19 Audits	Audit Opinion	Current Status
Succession Planning		Q4 Audit
Peer Review of Recommendations		Q3 Audit
Debtors		Testing
Creditors		Q4 Audit
Housing Benefits		Q4 Audit
Fraud – Flexi time and Overtime Arrangements		Q3 Audit
Property Valuations		Q3 Audit
Use of Agency Staff and Contract Employees		Q3 Audit
Social Media		Testing
Health and Safety Arrangements		Testing
Transparency Agenda		Planning
Environmental Services Review		Q3/4 Audit

- 4.4 The following table shows the progress against the 2018/19 operational plan for the period 1st April 2018 to 30th September 2018.

Audit Area	Total Days per approved Audit Plan 2018/19	Days spent as at 30th September 2018
Follow up Audit work	2	0.5
ICT	15	9
Management	15	9
Service Areas	94	5
Fundamentals	39	0.5
Fraud	15	0
TOTAL	180	24

- 4.5 The current position on the 2018/19 Audit Plan as at 30th September 2018 is as follows:

Status of Audits	Number of Audits	Percentage of Plan
Final report issued	0	0%
Draft report issued	0	0%
Managers Review	0	0%
In progress	4	33%
Yet to start	8	67%
Total	12	100%

5. Priority Areas to 31st March 2019

5.1 Audit Plan

Arrangements are being put in place to ensure that the Craven Audit Plan is delivered as agreed.

6. Conclusion

- 6.1 All Audits will be completed in line with the agreed plan. Update meetings will continue to be held with the Strategic Manager – Financial Services (s151 Officer) to provide assurance that audit work is progressing as planned

7. **Implications**

7.1 **Financial and Value for Money Implications**

None

7.2 **Legal implications**

None

7.3 **Contribution to Council Priorities**

The delivery of an Internal Audit Service contributes to Council transformation.

7.4 **Risk Management**

The internal audit function is an integral part of internal control.

7.5 **Equality Impact Assessment**

The Council's Equality Impact Assessment Procedure **has been** followed. An Equality Impact Assessment **has not** been completed on the proposals as completion of **Stage 1- Initial Screening** of the Procedure identified that the proposed policy, strategy, procedure or function **does not have** the potential to cause negative impact or discriminate against different groups in the community based on •age • disability •gender • race/ethnicity • religion or religious belief (faith) •sexual orientation, or • rural isolation.

8. **Consultations with Others**

Strategic Manager Financial Services (S151 Officer

9. **Access to Information : Background Documents**

None

10. Author of the Report

Gill Hoyes, Auditor, Craven District Council and Harrogate Borough Council Shared Audit Service.

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

11. Appendices

Internal Audit Plan 2018/19 April – September 2018 Monitoring

APPENDIX 1

Internal Audit Plan April – September 2018 MONITORING

Audits (includes audits brought forward 2017/18 audits)	Approved Plan (Days)	Actual April-Sept (Days)	Comments (at time of writing)
2017/18 audits			
Software Asset Management	15	15.5	A&G Committee - October
Council Tax & NNDR	30	13.75	Draft

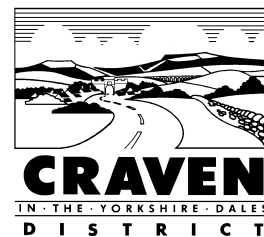
2018/19 audits

Succession planning	15	0	Q4 audit
Peer review of recommendations	12	0.5	In Progress
Debtors	12	0.3	In progress
Creditors	12	0	Q4 audit
Housing benefits	15	0	Q4 audit
Fraud – Flexi time and overtime arrangements	15	0	Q3 audit
Property valuations	10	0	Q3 audit
Use of agency staff and contract employees	15	0	Q3 audit
Social media	15	9.2	In progress
Health and safety arrangements	12	3.6	In Progress
Transparency agenda	15	1	In progress
Follow up work	2	0.5	Ongoing
Environmental services review	15	0	Ongoing
Management	15	9	Ongoing
Total	180	24.1	

*** Key – Levels of Assurance**

Level	Definition
Significant	The system of internal control is designed to support the Councils corporate and service objectives and controls are consistently applied in all the areas reviewed.
Good	There is generally a sound system of control designed to support the Council's corporate and service objectives. However, some improvements to the design or application of controls is required.
Partial	Weaknesses are identified in the design or inconsistent application of controls which put the achievement of some of the Council's corporate and service objectives at risk in the area reviewed.
None	There are weaknesses in control, or inconsistent non-compliance which places corporate and service objectives at risk in the area reviewed.

Audit & Governance Committee – 30 October 2018



Internal Audit – Implementation of Recommendations

Report of the Chief Finance Officer

Ward(s) affected: All

- 1 **Purpose of Report** – To update committee members on Priority 1 internal audit recommendations outstanding, all those completed in the period and provide a summary of the numbers of recommendations that have not yet been cleared.
- 2 **Recommendations** – Members are recommended to:
 - 2.1 Note the contents of Appendix A – Outstanding Priority One Internal Audit Recommendations and consider inviting responsible officers to the next meeting where appropriate.
 - 2.2 Note the contents of Appendix B – Audit Recommendations Completed in the Period and approve the contents of that Appendix. Recommendations will not be archived before this approval is received together with that of the Audit Services Manager, Shared Audit Service.
 - 2.3 Note the contents of Appendix C – Summary of Outstanding Audit Recommendations
- 3 **Implications**
 - 3.1 **Financial and Value for Money (vfm) Implications** – as highlighted for individual recommendations in Internal Audit Reports
 - 3.2 **Legal Implications** - none
 - 3.3 **Contribution to Council Priorities** – not applicable
 - 3.4 **Risk Management** – as highlighted for individual recommendations in Internal Audit Reports
 - 3.5 **Equality Analysis** – not applicable
- 4 **Consultations with Others**

Senior Managers/Action Owners
- 5 **Access to Information: Background Documents**

None
- 6 **Author of the Report**

Rebecca Steel, Performance Management Officer
Telephone: 01756 706215
e-mail: rsteel@cravendc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.
- 8 **Appendices** –

Appendix A – Outstanding Priority 1 Internal Audit Recommendations
Appendix B – Audit Recommendations Completed in the Period
Appendix C – Summary of Outstanding Audit Recommendations

PAGE INTENTIONALLY BLANK

AGENDA ITEM 7a

Appendix A – Outstanding Priority 1 Internal Audit Recommendations

Priority 1 Recommendations relate to significant gaps in the Internal Control Framework. Recommendations are included where the original completion date was prior to October 2018.

Source Report	Recommendation Name	Original Target Date	Service Area	Status		Latest Update	Updated by	Date
C6 08 - Physical Security of ICT Equipment and Data - Priority 1	IA 18/19 263 The security and condition of the Engine Shed Lane archive store should be assessed in terms of its adequacy for data storage and appropriate action taken	C6 08 - Mar 2016	ICT	Amber		Discussions are at an advanced stage with a neighbouring local authority which may be able to undertake the digitisation process thus avoiding the cost of an expensive tender process and generating some savings for the Council. Project due for completion in March 2019.	DRN	17/10/18
C7 01 - Payroll including use of iTrent - Priority 1	IA 18/19 295 Payroll should establish with HR and the service whether an overpayment has been made to employee reference 00850, and investigate the reason why and how this occurred. If the overpayment is valid, the figure should be calculated and recovery promptly initiated with the employee. An audit trail should be present to evidence incremental changes made.	C7 01 - Mar 2017	Financial Management	Green		Overpayment agreed Recovery commenced in September and completed in October.	RCS	17/10/18
C7 08 - National Fraud Initiative (NFI) - Priority 1	IA 18/19 319 A report on NFI results should be presented to CLT and the Audit Committee, including progress on data match reviews	C7 08 - Oct 2017	Financial Management	Amber		The number of outstanding matches is included in the performance reports that are presented to the quarterly Value for Money Clinics. Update narratives are also provided for those NFI match areas with a significant number of outstanding items. A summary report will be submitted to CLT and Audit & Governance Committee in January 2019. The format of this report is to be confirmed, but it will update both on the matches found, matches still outstanding and the costs associated with having to undertake the mandatory exercises imposed by the NFI.	JH	15/10/18

AGENDA ITEM 7a

C7 04 - Licensing 2016/17 - Priority 1	IA 18/19 323 Files should be reviewed and any personal and / or sensitive information removed from any historic files no longer required	C7 04 - Jul 2017	Licensing	Amber		Files are being reviewed when renewed or accessed for other reasons. The remainder of the historic information will form part of the David Roper-Newman batch scanning project. All files are securely stored either in a locked cabinets within the office or in the central storage facility. Reasons for delay - Officer time and awaiting start of project to batch scan records. Estimated completion date - not yet known.	DB	03/10/18
C8 09 - Money Laundering - Priority 1	IA 18/19 347 The draft Money Laundering Policy should be finalised and approved as soon as possible. This should then be promoted to all employees and Members.	C8 09 - Jun 2018	Financial Management	Amber		Formal notification to Staff and Members to be issued in Q3. Copy of the policy currently available within the Audit Committee Agenda	NC	16/10/18
C8 09 - Money Laundering - Priority 1	IA 18/19 348 The MLRO should ensure that as far as practicable managers and officers within relevant Services are aware of their responsibilities in respect of due diligence checks for customers where the receipt of income is greater than €15,000. In addition officers will also be made aware of their responsibilities to report any suspicious activity greater than £1,000 for payments received by cash, debit card or credit card.	C8 09 - Sep 2018	Financial Management	Red		Instructions scheduled to be circulated in September. Delayed slightly and will now be circulated in October.	NC	16/10/18
C9 01 - Asset Rentals and Letting Income - Priority 1	IA 18/19 398 There should be a thorough review of the departmental structure by management	C9 01 - Jun 2018	Property Services	Red		Change of Management has resulted in a delay in the structure review, revised date March 2019 based on detailed assessment of working practices and workload.	DM	02/08/18
C9 01 - Asset Rentals and Letting Income - Priority 1	IA 18/19 402 Whilst the tenancy agreement may state that it is the tenant's responsibility to ensure these checks are undertaken, it would be considered as best practice for the council to obtain all relevant copies of the respective safety certificates to evidence compliance	C9 01 - Jun 2018	Property Services	Red		Change of Management has resulted in a delay in implementing these arrangements, revised date October 2019.	DM	02/08/18

AGENDA ITEM 7a

C9 01 - Asset Rentals and Letting Income - Priority 1	IA 18/19 404 Property must ensure their processes are able to determine the correct inflationary indicator to use. All figures submitted to Finance for billing must be checked and authorised by Property Management before submission is made to Finance.	C9 01 - Jun 2018	Property Services	Green		Check implemented. Figures generated for finance now go to Chief Information Officer prior to submission to finance.	DM	02/08/18
C9 01 - Asset Rentals and Letting Income - Priority 1	IA 18/19 405 A strategy document should be produced that states how the sites will be best used to maximise income	C9 01 - Jun 2018	Property Services	Red		Change of Management has resulted in a delay in the creation of this strategy, revised date March 2019.	DM	02/08/18

AGENDA ITEM 7a

Appendix B – Audit Recommendations Completed in the Period

Source Report	Recommendation Name	Original Target Date	Service Area	Status		Latest Update	Updated by	Date
C5 12 - Council Tax & Non Domestic Rates 2014 15 - Priority 2	IA 18/19 213 Property inspections should be more timely	C5 12 - Oct 2015	Revenues & Benefits	Green		Since the audit recommendation was made there have been improvements to procedures and inspections of changes and new builds strengthened. The property inspector provides a weekly update of his outstanding work, and we received timely information from Planning and Addresses. There are limitations to the frequency of inspection due to the rurality of the District; we prioritise new builds and ways to maximise the tax and rates bases.	DD	16/10/18
C6 01 - Building Control - Priority 2	IA 18/19 225 The Building Control Policy and procedure manual documents should be reviewed and updated as necessary	C6 01 - Jul 2016	Planning & Building Control	Green		The procedure manual is now in place. This will now be reviewed on a rolling basis.	JB	06/08/18
C6 04 - Bereavement Services - Priority 2	IA 18/19 244 A review of all data held should be undertaken with the assistance of the Information Governance Officer. As part of this review of data retention lengths, management should consider the occasional business requirement to refer to cremation and interment forms older than 15 years.	C6 04 - Jun 2016	Bereavement Services	None		This now forms part of IA 18/19 263 -The security and condition of the Engine Shed Lane archive store should be assessed in terms of its adequacy for data storage and appropriate action taken - <u>as agreed with the Audit Services Manager on 2/5/18.</u> (INCLUDED FOR COMPLETENESS)	RCS	06/08/18
C6 05 - Online Payments - Priority 2	IA 18/19 279 Management should assess the level of accuracy between completed applications on the Fast Planning / Control systems and payments received on the CRS daily transaction reports by performing a test of all transactions for a sample period. This data should then be used to determine an appropriate level of proportional sample testing on an ongoing basis (e.g. 10% of all completed applications on a monthly basis), to be performed by management.	C6 05 - Jul 2016	Planning & Building Control	Green		A system is now in place with task and enterprise identifiers for ourstanding payments.	NW	07/08/18

AGENDA ITEM 7a

C7 01 - Payroll including use of iTrent - Priority 1	IA 18/19 295 Payroll should establish with HR and the service whether an overpayment has been made to employee reference 00850, and investigate the reason why and how this occurred. If the overpayment is valid, the figure should be calculated and recovery promptly initiated with the employee. An audit trail should be present to evidence incremental changes made.	C7 01 - Mar 2017	Financial Management	Green		Overpayment agreed Recovery commenced in September and completed in October.	RCS	17/10/18
C7 05 - Cybercrime - Priority 2	IA 18/19 309 Access permissions should be clarified with the Service Area Manager of the Transfer identified during audit testing and any resulting amendments to access made as required.	C7 05 - Aug 2017	ICT	Green		A new user access form has been created so that managers of individuals changing roles will identify the correct access permissions. No further action required.	DRN	24/07/18
C8 14 - Procurement Cards - Priority 2	IA 18/19 344 Staff holding procurement cards must be reminded that they are not permitted to hand these out to anyone and that all expenditure must be processed by them.	C8 14 - Sep 2018	Financial Management	Green		A list of all procurement cardholders was obtained and an e-mail issued reminding them that procurement cards should only be used by the named cardholder. All transaction logs are only accepted by finance if signed by the correct person.	RCS	08/10/18
C8 13 -Ward Member Grants) - Priority 2	IA 18/19 361 Evidence of a project's or activity's expected costs should be submitted with an application and evidence of expenditure submitted with the monitoring form	C8 13 - Apr 2018	Partnerships & Communications	Green		A review report was taken to Policy Committee on 19th June and included this as one of recommendations from the internal audit report. Applications are now expected to submit projects costs with application form.	SH	25/07/18
C8 13 -Ward Member Grants) - Priority 2	IA 18/19 362 A checklist should be introduced for Councillors to evidence that specific points have been considered, checked and justifiable reasons for approval documented.	C8 13 - Apr 2018	Partnerships & Communications	Green		A review report was taken to Policy Committee on 19th June which included the recommendations from the internal audit report. An Officer will now make sure all relevant specific points are detailed in application and necessary checks have been made before the application is sent to Ward Members there is a checklist on the approval form for an Officer to fill in to assist members before they allocate the funding.	SH	25/07/18

AGENDA ITEM 7a

C8 13 -Ward Member Grants) - Priority 2	IA 18/19 363 Expected permissions should be reviewed by appropriate Council officers and evidence of permissions already obtained submitted to the Council	C8 13 - Apr 2018	Partnerships & Communications	Green		A review report was taken to Policy Committee on 19th June and included the recommendations from the internal audit report. The expected permissions are reviewed by a Council Officer before applications are passed to members for a funding decision.	SH	02/05/18
C8 13 -Ward Member Grants) - Priority 2	IA 18/19 365 A timeframe should be introduced for Councillors within which applications should be either approved or rejected.	C8 13 - Apr 2018	Partnerships & Communications	Green		A review report was taken to Policy Committee on 19th June and included the recommendations from the internal audit report in modifying the scheme. Members now have a deadline of four weeks to make a funding decision on applications	SH	25/07/18
C8 13 -Ward Member Grants) - Priority 2	IA 18/19 366 Either the application criteria should be formally expanded to allow for a different aspect of an activity to be funded which has already received previous funding in a 2 year period, or, the existing criteria should be appropriately adhered to.	C8 13 - Mar 2018	Partnerships & Communications	Green		A review report was taken to Policy Committee on 19th June and included the recommendations from the internal audit report. It was agreed application criteria will make clear that an organisation or event can apply again for funding as long as it is for a different project or activity.	SH	25/07/18
C8 13 -Ward Member Grants) - Priority 2	IA 18/19 367 Those approving funding must ensure that the applicant is not in receipt of any grant funding that has occurred in the last 2 years.	C8 13 - Mar 2018	Partnerships & Communications	Green		A review report was taken to Policy Committee on 19th June and included recommendations from the internal audit report. The application criteria will state that applications will not be forwarded to Members that have already received funding so the check is made by Officers before being passed to Members.	SH	25/07/18
C8 01 Planning Fees - Priority 2	IA 18/19 375 Ensure the system has updated settings that make an entry in the charge field mandatory before allowing the status of the application to be updated to "validated"	C8 01 - Sep 2018	Planning & Building Control	Green		This is now in place and operating as required. There had been a few cases on data transfer where this was not the case - these have now all been corrected.	JB	19/09/18
C8 01 Planning Fees - Priority 2	IA 18/19 376 Provide training to staff and update office procedure notes to ensure that the date entered as the payment received date is the daily transaction date.	C8 01 - Sep 2018	Planning & Building Control	Green		This has now been incorporated into the relevant procedure notes and all staff have been reminded of the requirement.	JB	19/09/18

AGENDA ITEM 7a

C8 01 Planning Fees - Priority 2	IA 18/19 377 Ensure that the 'Trans ref' from the daily transaction list is always entered in the receipt number field in the payment details on the application in Uniform. Staff should investigate whether the field can be made mandatory when updating the payment details.	C8 01 - Sep 2018	Planning & Building Control	Green		The Trans Ref is now included for all fee generating applications. Some applications do not require the payment of a fee and therefore the option to leave the field blank is required. As a result we are treating this action as implemented. All planning applications are cross checked to ensure all appropriate fields are completed.	JB	19/09/18
C8 01 Planning Fees - Priority 2	IA 18/19 378 Where one application is entered as multiple applications on the system, the applications on Uniform that do not have the payment allocated should have case notes added to create an audit trail to the respective payment by referencing the application where the payment has been recorded.	C8 01 - Sep 2018	Planning & Building Control	Green		Applications falling into this category are now cross-referenced in the application description field and the checklist sheet.	JB	19/09/18
C8 01 Planning Fees - Priority 2	IA 18/19 379 The Local Land Charges/Technical Support Officer should periodically check the list of insufficient fees applications to ensure they are legitimate insufficient fees cases only.	C8 01 - Sep 2018	Planning & Building Control	Green		Now that the new system has bedded in we have identified no additional instances of a case being erroneously included on the 'insufficient fees' list. A new Enterprise task has been set up that prompts supports staff to chase outstanding balances after twenty eight days.	JB	19/09/18
C8 01 Planning Fees - Priority 3	IA 18/19 380 Staff should check a sample of applications where the system has marked the fee request letter check box to ensure that all have a fee request letter on file.	C8 01 - Sep 2018	Planning & Building Control	Green		The system is now set up to automatically generate the 'invalid' letter into the electronic document management system. This removes the need for a paper copy to be held within planning support. The system is now well-established and generating all required letters. It is therefore considered unnecessary to undertake a sample check.	JB	19/09/18
C8 01 Planning Fees - Priority 2	IA 18/19 381 Ensure the daily transaction list is marked and initialled when the payment is assigned to an application.	C8 01 - Sep 2018	Planning & Building Control	Green		This has now been incorporated into the relevant procedure notes and all staff have been reminded of the requirement.	JB	19/09/18

AGENDA ITEM 7a

C8 01 Planning Fees - Priority 3	IA 18/19 382 Compile a monthly transaction list	C8 01 - Sep 2018	Planning & Building Control	Green		The daily lists are now being treated in a slightly different way which had increased efficiency and there is no longer a requirement to have a monthly combined list. If necessary in the future we will revisit this recommendation.	JB	19/09/18
C8 01 Planning Fees - Priority 2	IA 18/19 383 Move completed daily transaction lists to a different folder marked completed	C8 01 - Sep 2018	Planning & Building Control	Green		The daily lists are now being treated in a slightly different way which had increased efficiency and there is no longer a requirement to have a separate completed folder.	JB	19/09/18
C9 04 G4S Contract 2017/18 - Priority 3	IA 18/19 384 Separate record should be kept of any instances where G4S Collectors do not meet agreed contract standards. Specifically, if Collector error renders machines out of service, and, should such ever occur, if Collectors leave machines unsecured or do not report machine issues encountered.	C9 04 - Dec 2018	Parking Services	Green		Spreadsheet set up and being populated as necessary. No further action required.	HS	08/10/18
C9 04 G4S Contract 2017/18 - Priority 2	IA 18/19 385 Additional completion of the individual machine reconciliation and monthly reconciliation sections of the overall cash collection and reconciliation analysis spreadsheet should be re-introduced and discussed with the Business Services Manager at 1-2-1's	C9 04 - Dec 2018	Parking Services	Green		Set up and being populated, and discussed with staff member. October Update: action complete - no further action required.	HS	08/10/18
C9 04 G4S Contract 2017/18 - Priority 2	IA 18/19 386 Re-contracting under the new framework, or one of the alternative options for cash collection services being considered, should be pursued	C9 04 - Dec 2018	Parking Services	Green		Current contract is valid. Further discussions taking place reviewing business case for retaining external v internal service.	HS	08/10/18
C9 15 Car Parking Income 2017/18 - Priority 2	IA 18/19 388 Fault rectification dates should be recorded in all cases	C9 15 - Dec 2018	Parking Services	Green		Spreadsheet set up and being populated accordingly. No further action required.	HS	08/10/18
C9 15 Car Parking Income 2017/18 - Priority 2	IA 18/19 389 Parking information for Craven should be made available in an open and machine readable file format equivalent to the Transparency Code's 3 stars	C9 15 - Dec 2018	Parking Services	Green		The action has been completed and the information published as a CSV file on the internet, and this meets the Transparency Code's 3-star rating.	DRN	24/07/18

AGENDA ITEM 7a

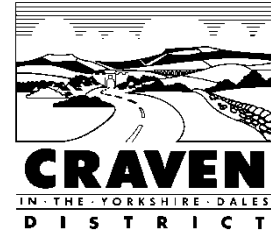
C9 09 - Risk Management - Priority 1	IA 18/19 395 Managers should receive training on their risks to ensure that they are confident that the risk scores and the controls in place fully reflect the current position	C9 09 - Dec 2018	Financial Management	Green		Training took place on 10 July 2018 for managers.	NC	16/10/18
C9 01 - Asset Rentals and Letting Income - Priority 2	IA 18/19 399 Resource needs to be found within the team that can check the information as it is being entered onto IDOX, to ensure the integrity of the information is maintained	C9 01 - March 2019	Property Services	Green		Resource has been found and will be used to check information as it is input into IDOX.	DRN	24/07/18
C9 01 - Asset Rentals and Letting Income - Priority 2	IA 18/19 400 Accurate unique property reference numbers should be added onto the Asset Management Sheet and these should agree with those listed in the Fixed Asset Register	C9 01 - Jun 2018	Property Services	Green		Change implemented. Further data validation work being completed as part of transition to IDOX Asset Management Module, data transfer expected to be complete by end March 2019.	DM	02/08/18
C9 01 - Asset Rentals and Letting Income - Priority 2	IA 18/19 403 Until such time as the hard copy files are scanned onto IDOX, the filing cabinets containing DD mandates should be locked securely	C9 01 - May 2018	Property Services	Green		Cabinets are now secured.	DM	06/08/18
C9 01 - Asset Rentals and Letting Income - Priority 1	IA 18/19 404 Property must ensure their processes are able to determine the correct inflationary indicator to use. All figures submitted to Finance for billing must be checked and authorised by Property Management before submission is made to Finance.	C9 01 - Jun 2018	Property Services	Green		Check implemented. Figures generated for finance now go to Chief Information Officer prior to submission to finance.	DM	02/08/18

AGENDA ITEM 7a

Appendix C – Summary of Outstanding Audit Recommendations

	Priority 1	Priority 2	Priority 3	Total
B/F 1/4/18	8	44	11	63
Add Reports at 26th June A & G Committee				
G4S		2	1	3
Car Park Income		3		3
Risk Management Arrangements	6	2		8
Asset Rentals and Letting Income	4	5		9
	18	56	12	86
<u>Less</u> Archiving approved at 26th June A & G Committee	2	20	5	27
	16	36	7	59
Less included at Appendix B as cleared in the period	3	26	3	32
	13	10	4	27
<u>Less</u> Not yet due	5	5	0	10
Outstanding Recommendations	8	5	4	17
<u>By Service Area</u>				
Financial Management	3	2	4	9
ICT	1			1
Licensing	1	2		3
Planning & Building Control		1		1
Property Services	3			3
	8	5	4	17
<u>By year originally due to be implemented</u>				
2014/15			1	1
2015/16	1			1
2016/17		1		1
2017/18	2	4	2	8
2018/19	5		1	6
	8	5	4	17

Audit and Governance Committee – 30 October 2018



REVISED PLANNING SCHEME OF DELEGATION

Report of the Solicitor to the Council and Monitoring Officer

Ward(s) affected: All areas of the District outside the National Park

1. **Purpose of Report** – To consider revisions to the Planning Scheme of Delegation.

2. **Recommendations** – Members are recommended to:

Approve the revised Planning Scheme of Delegation, subject to reference to Full Council for final approval.

3. **Report**

3.1 The Council's Constitution is a critical document that sets out the governance arrangements for the Council, setting out the functions of the Council and how they are exercised.

3.2 Section 101 of the Local Government Act 1972 deals with the delegation of local authority functions. Section 101 provides that (subject to any express statutory provision to the contrary) a local authority may arrange for the discharge of any of its functions by a committee, sub-committee or one of its officers.

3.3 For the purposes of expediency and in the interests of good governance, some decisions are delegated to officers of the Council to exercise. This is a key part of the day to day running of the Council and such powers are set out in schemes of delegation contained in the Constitution.

3.4 The Planning Scheme of Delegation applies to decisions / functions around planning / development management. It should be noted that 84% of planning applications are determined by officers on this basis.

3. **Planning Scheme of Delegation**

4.1 The Council's current Planning Scheme of Delegation was comprehensively reviewed in 2002 and last amended in 2011.

4.2 Since 2011 there have been legislative changes principally in the form of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Against this background there is a need to review the scheme

to ensure that decisions are made within the legislative timescales and to ensure that deemed approvals are not granted by default.

4.3 Officers consider it pertinent to clarify that the revised scheme of delegation does not increase delegation to Officers, save for the revisions to meet legislative requirements. The proposals in the report are intended to clarify and streamline the 7 day notice procedure and to relieve the Planning Committee from dealing with routine applications, thereby typically reducing the length of Planning Committee agenda's and list of plans to be considered.

4.4 The Planning Committee initially considered the revised scheme of delegation at its meeting on 29 August 2018. It was resolved ***'That subject to Category 7 (Ward Member Referrals) of the draft Revised Planning Scheme of delegation being appropriately amended to include reference to members of neighbouring wards also being able to request that an application be referred to Planning Committee, the draft revised Planning Scheme of delegation is approved for reference to Council for approval'***.

4.5 A further report was submitted to Planning Committee on 24 September 2018, requesting Members to consider an amendment to Category 7 (Ward Member Referrals) as follows:

'Where a ward member requests, in writing, within 21 days of the receipt of the weekly list or by the closure of any publicity which has been carried out on the application (whichever is the latest), that an application be presented to the Planning Committee for decision, identifying the planning reasons for the referral and how the development affects their ward and agreed with the Planning Manager in consultation with the Chairman

Footnote: As worded Category 7 referrals enables members other than the member for the ward within which the site is located to seek to refer the application to Committee where the development would have an effect on their ward.'

4.6 At the Planning Committee meeting on 24 September 2018 it was resolved ***'That the revised drafting of Category 7, Planning Scheme of Delegation (Ward Member Referrals), is approved for inclusion within the Revised Scheme of Delegation adopted by Planning Committee on 29 August 2018 for reference to Council for approval'***.

4.7 As part of the approval process, the Council's Constitution includes a requirement that the Revised Planning Scheme of Delegation is presented to Audit and Governance Committee before reference to Council. Appendix A includes copies of the reports submitted to Planning Committee on 29 August and 24 September 2018. Extracts from the minutes of those meetings are also included at Appendix B.

5. Implications

5.1 **Financial and Value for Money (vfm) Implications** – The revised scheme will have a positive impact on the Council's aims to manage its finances and will help to free up officer time to deal with more planning applications.

- 5.2 **Legal Implications** – The proposals shall ensure that the revised scheme is updated to reflect legislative requirements and best practice and the Constitution updated in accordance with obligations under section 37 of the Local Government Act 2000.
- 5.3 **Contribution to Council Priorities** – The alterations to the revised scheme will actively support the Council’s priority to support economic growth in the District by providing much needed certainty and speed up the planning process.
- 5.4 **Risk Management** – Should the recommendations of the report not be adopted the situation will remain as existing with the risk of legal challenge and potential Ombudsman decisions against the Council for not following procedure due to the lack of clarity.
- 5.5 **Equality Analysis** – No impact.
6. **Consultations with Others** – Solicitor to the Council and Monitoring Officer
7. **Access to Information: Background Documents** – None
8. **Author of the Report** –

Guy Close, Democratic Services Manager (01756) 706226
 E-mail: gclose@cravendc.gov.uk

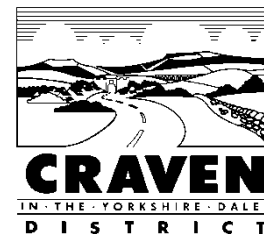
Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Appendices –

- Appendix A – Reports to Planning Committee on 29 August and 24 September 2018, ‘Revised Planning Scheme of Delegation’.
- Appendix B – Extracts of Minutes from the Planning Committee Meetings on 29 August and 24 September 2018, ‘Revised Planning Scheme of Delegation’.

Planning Committee – 29 August 2018

REVISED PLANNING SCHEME OF DELEGATION



Report of the Strategic Manager Planning and Regeneration

Ward(s) affected: All areas of the District outside the National Park

1. **Purpose of Report** – To consider revisions to the Scheme of delegation.

2. **Recommendations** – Members are recommended to:

Approve the revised planning scheme of delegation subject to reference to Full Council for final approval

2. **Background**

3.1 The Council's Constitution is a critical document that sets out the governance arrangements for the Council, setting out the functions of the Council and how they are exercised.

3.2 Section 101 of the Local Government Act 1972 deals with the delegation of local authority functions. Section 101 provides that (subject to any express statutory provision to the contrary) a local authority may arrange for the discharge of any of its functions by a committee, sub-committee or one of its officers.

3.3 For the purposes of expediency and in the interests of good governance, some decisions are delegated to officers of the Council to exercise. This is a key part of the day to day running of the Council and such powers are set out in schemes of delegation contained in the Constitution.

3.4 The Planning Scheme of Delegation applies to decisions/functions around planning/development management. It should be noted that 84 % of planning applications are determined by officers on this basis.

3. **Planning Scheme of Delegation**

4.1 The Council's current Planning Scheme of Delegation was comprehensively reviewed in 2002 and last amended in 2011.

4.2 Since 2011 there have been legislative changes principally in the form of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Against this background there is a need to review the scheme

to ensure that decisions are made within the legislative timescales and to ensure that deemed approvals are not granted by default.

- 4.3 Officers consider it pertinent to clarify that the revised scheme of delegation does not increase delegation to Officers, save for the revisions to meet legislative requirements. The proposals in the report are intended to clarify and streamline the 7 day notice procedure and to relieve the Planning Committee from dealing with routine applications, thereby typically reducing the length of Planning Committee agenda's and list of plans to be considered.

5 Explanation and clarification of the terms of the revised scheme 2018.

- 5.1 The current scheme is divided into 10 categories and a commentary on each category is set out below. The current scheme is set out first, **the proposed revisions are shown in red text** with an explanation at the end of each category.

The Strategic Manger for Planning and Regeneration is delegated to undertake all functions in connection with planning (subject to the limits, controls and conditions below) including Listed Buildings, Advertisement Consent, Certificate of Lawfulness applications (in consultation with the Council Solicitor), Planning Enforcement and the preservation of Trees and Hedges.

Limits, Controls and Conditions

This delegation is limited and shall not apply to:

1. Environmental Impact Assessment Applications

1. Any application which is accompanied by an Environmental Impact Statement.

1. **Any application which is accompanied by an Environmental Impact Statement**

No change proposed

2. Significant Departure Applications

2. Any application which is defined as a significant departure from the adopted development plan as identified in planning circular 02/09 or in any successor or document (see definition below) and where officers wish to approve the development.

2. **Any application which is defined as a significant departure from the adopted development plan as identified in the Town and Country Planning (Consultation) (England) Direction 2009 or in any successor Direction or document (see definition below) and where officers wish to approve the development.**

Circular 02/09 was replaced in 2014 by the National Planning Practice Guidance although the 2009 Direction remains extant and identifies significant departures. This does not change the scheme but simply reflects legislative change.

3. Major Departure Applications

- 3 Any applications which are recommended to be approved contrary to the requirements of the Development Plan.

- 3 The application is a major departure in the opinion of the Strategic Manager Planning and Regeneration and the application is recommended for approval

This has been amended to only refer to major departures. Minor applications that do not accord with the provisions of the Development Plan are technically a Departure but approval in appropriate cases would have no impact or undermine the Plan.

4 Council Applications

- 4 Any applications made by or on behalf of the Council.

- 4 Any applications made by or on behalf of the Council and is for development other than domestic applications within the curtilage of a dwelling house or external alterations to a building with no significant extensions proposed

In its present form all of the Council's applications are referred to Committee. This has been amended to avoid non-controversial applications by the Council being dealt with by the Planning Committee.

5 Applications by District Councillors

- 5 Any applications made by or on behalf of a District Councillor or his/her partner, children, parents, grandparents or siblings.

- 5 Any applications made by or on behalf of a District Councillor or his/her partner, children, parents, grandparents or siblings.

No change proposed

6 Applications by Members of Staff

- 6 Any application made by an employee within the Development Management, Building Control and Local Planning Teams within the Planning and Regeneration service area or any employee of the Council of Principal Grade or above. Applications submitted by the partner, children, parents, grandparents or siblings of any of the persons referred to above will also be referred to the Planning Committee for determination.

- 6 Any application made by an employee within the Development Control, Building Control and Local Planning Teams within the Planning and Regeneration service area or any employee of the Council of Principal Grade or above. Applications submitted by the partner, parents or children of any of the persons referred to above will also be referred to the Planning Committee for determination.

No change proposed

7 Ward Member Referrals

7 Where a ward member requests, in writing, within 21 days of receipt of the weekly list or by the closure of any publicity which has been carried out on the application (whichever is the latest date), that an application be presented to the Planning Committee for decision

7. Where the ward member requests, in writing, within 21 days of receipt of the weekly list or by the closure of any publicity which has been carried out on the application (whichever is the latest date), that an application be presented to the Planning Committee for decision, identifying the planning reasons for the referral and agreed with the Planning Manager in consultation with the Chairman

This has been amended to ensure that referrals clearly identify the planning reasons for the need for an application to be considered by the Planning Committee.

8. The 7 day notice procedure.

8 Where representations by any person, body or organisation have been received (either in support or against the proposal) within the 21 day consultation/publicity period a notice shall be sent to the Chairman and Vice Chairman of the Planning Committee and Ward Representative(s) giving 7 consecutive days to decide on material planning grounds or in the public interest whether the matter should be referred to the Planning Committee for a decision.

8 Where representations by any person, body or organisation have been received (either in support or against the proposal) within the 21 day consultation/publicity period and these representations are contrary to the recommendations of Officers a notice shall be sent to the Chairman and Vice Chairman of the Planning Committee and Ward Representative(s) giving 7 consecutive days to decide on material planning grounds or in the public interest whether the matter should be referred to the Planning Committee for a decision. This procedure will not apply to applications for "prior approval" under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) since such applications benefit from a deemed approval if not determined within the statutory time limits.

Interpretation of the 7 day notice procedure

Where a Town or Parish Council indicate that they have "no objection" or "no comment" to an application this will be taken as a declaration of a neutral stance that is neither in support of nor against a proposal and accordingly will not trigger a requirement for an application to be referred to the Chairman, Vice Chairman and ward Member(s) under the 7 day notice procedure. Similarly a representation supporting an application will not trigger the 7 day notice procedure if the Officer recommendation is one of approval.

With the exception of consultations to Town and Parish Councils referred to above the 7 day notice procedure shall not apply in respect of representations received

from any statutory consultee who has been notified of the application in accordance with Articles 18, 19, 20 and 21 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or any Order revoking or re-enacting that Order) or from any non-statutory consultee.

Where third party representations have been received solely supporting an application the 7 day notice procedure will not be triggered if the Officer recommendation is for approval.

Where third party representations have been received solely objecting to an application the 7 day notice procedure will not be triggered if the Officer recommendation is for refusal.

The 7 day notice procedure will apply to all applications where there are both objections and support for an application.

In all cases the representations must be on material planning grounds to be considered under category 8.

This category requires amendment to take into account legislative changes in the Town and Country Planning General Permitted Development Order 2015. This allows a range of developments to take place without planning permission including the change of use of agricultural buildings and offices to residential use. The applicant is required to submit an application for “prior approval” by the Council and if a decision is not issued within 56 days the applicant benefits from a “deemed approval”. The existing triggers could result in an application not being determined within 56 days which would almost certainly happen in the vast majority of cases if the application was referred to Committee.

The interpretation sets out at the end of category 8 various scenarios and clarifies the cases where “approving the acceptable” and “refusing the unacceptable” would improve the speed in determination of the applications, providing efficiency savings, avoid the delay of the 7 day notice procedure and potentially Committee time.

9 Repeat applications

9 Any repeat application (where it is fundamentally the same scheme) which has previously been considered by the Planning Committee.

9 Any repeat application (where it is fundamentally the same scheme) which has previously been considered by the Planning Committee. This will not apply to applications to vary or delete conditions under section 73 of the Town and Country Planning Act 1990 unless those conditions were explicitly imposed by the Planning Committee. This will not apply to applications for non-material amendments to an approved scheme under Section 96A of the Town and Country Planning Act 1990 (as amended).

Frequently applications are made to revise schemes either under Section 73 of the Town and Country Planning Act or Section 96A for a non –material amendment. A Section 73 application could typically be to change approved house types on an

approved site. Unless there are specific issues with that application (which would be in any event covered by category 10) there is no merit in referring the application to Committee. An application for a non-material amendment under Section 96A is technically not an application for planning permission and similarly does not merit Committee consideration.

10 Referrals by Strategic Manager

10 Any application which the Strategic Manager for Planning and Regeneration considers should be referred to the Planning Committee for a decision.

10 Any application which the Strategic Manager for Planning and Regeneration considers should be referred to the Planning Committee for a decision.

No change proposed.

Definitions

Significant departures are defined as the following in the Town and Country Planning (Consultation) (England) Direction 2009 where the Local Planning Authority wishes to approve the proposal in terms of the following: -

- Development which includes or consists of retail, leisure or office use and which:
 - a. Is to be carried out on land which is edge of centre, out of centre or out of town; **and**
 - b. Is not in accordance with one or more provisions of the development plan in force in relation to the area in which the development is to be carried out: **and**
 - c. Consists of or includes the provision of a building or buildings where the floor space to be created by the development is:
 - I. 5000 square metres or more: **or**
 - II. Extensions of new development of 2,500 square metres or more which when aggregated with existing floorspace would exceed 5000 square metres.
- Development having an adverse impact on the outstanding universal value, integrity, authenticity and significance of world heritage sites or their settings, including any buffer zone or its equivalent, and being development to which Historic England has objected to and that objection not having been withdrawn.
- Playing field development where the land subject of the application:
 - I. Is land of a local authority; or
 - II. Is currently used by an educational institution as a playing field; **or**
 - III. Has at any time in the 5 years before the application been used by an education institution as a playing field: **and**
 - IV. Sport England has been consulted and has objected on one or more of the following grounds:
 - a. That there is a deficiency in the provision of playing fields in the area of the Local Planning Authority;
 - b. That the proposed development would result in such a deficiency; **or**

- c. That the proposed development involves a loss of playing field and an alternative or replacement playing field is proposed, that alternative or replacement does not match (whether in quality, quantity or accessibility) that which would be lost.
- Major development in flood risk areas to which the Environment Agency has made an objection that it has not been able to withdraw even after discussion with the Local Planning Authority.

6. Implications

6.1 Financial and Value for Money (vfm) Implications – Impact.

The revised scheme will have a positive impact on the Council's aims to manage its finances and will help to free up officer time to deal with more planning applications.

6.2 Legal Implications – The Proposals in the report shall ensure that the Scheme of Planning Delegation is updated to reflect legislative requirements and best practice and the Constitution updated in accordance with obligations under section 37 of the Local Government Act 2000.

6.3 Contribution to Council Priorities – Impact

The alterations to the scheme of delegation will actively support the Council's priority to support economic growth in the District by providing much needed certainty and speed up the planning process.

6.4 Risk Management – Impact

Should the recommendations of the report not be adopted the situation will remain as existing with the risk of legal challenge and potential Ombudsman decisions against the Council for not following procedure due to the lack of clarity.

6.5 Equality Analysis – No impact.

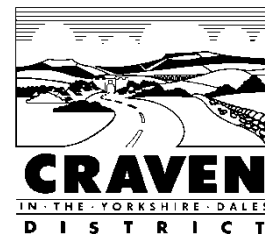
7. Consultations with Others – Council Solicitor

8. Access to Information : Background Documents – None

9. Author of the Report – Neville Watson Planning Manager 01756 706402

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Planning Committee – 24 September 2018



REVISED PLANNING SCHEME OF DELEGATION

Report of the Strategic Manager Planning and Regeneration

Ward(s) affected: All areas of the District outside the National Park

1. **Purpose of Report** – To consider revisions to the Scheme of delegation.

4. **Recommendations** – Members are recommended to:

Approve the revised drafting of category 7, planning scheme of delegation, Ward Member referrals, now submitted for inclusion within the revised scheme of delegation approved by Planning Committee on 29 August 2018 for reference to Council for adoption.

3. **Report**

Members will recall in considering the revised scheme of delegation at its meeting on 29 August 2018, the Committee resolved that subject to Category 7 (Ward Member Referrals) of the draft Revised Planning Scheme of delegation being appropriately amended to include reference to members of neighbouring wards also being able to request that an application be referred to Planning Committee, the draft revised Planning Scheme of delegation is approved for reference to Council for approval.

It is proposed that Category 7, Ward Member referrals, be amended as follows:-

Where a ward member requests, in writing, within 21 days of the receipt of the weekly list or by the closure of any publicity which has been carried out on the application (whichever is the latest), that an application be presented to the Planning Committee for decision, identifying the planning reasons for the referral and how the development affects their ward and agreed with the Planning Manager in consultation with the Chairman.

Footnote; As worded Category 7 referrals enables members other than the member for the ward within which the site is located to seek to refer the application to Committee where the development would have an effect on their ward.

4. Implications

4.1 Financial and Value for Money (vfm) Implications – Impact..

The revised scheme will have a positive impact on the Council's aims to manage its finances and will help to free up officer time to deal with more planning applications.

4.2 Legal Implications – The Proposals in the report shall ensure that the Scheme of Planning Delegation is updated to reflect legislative requirements and best practice and the Constitution updated in accordance with obligations under section 37 of the Local Government Act 2000.

4.3 Contribution to Council Priorities – Impact

The alterations to the scheme of delegation will actively support the Council's priority to support economic growth in the District by providing much needed certainty and speed up the planning process.

4.4 Risk Management – Impact

Should the recommendations of the report not be adopted the situation will remain as existing with the risk of legal challenge and potential Ombudsman decisions against the Council for not following procedure due to the lack of clarity.

4.5 Equality Analysis – No impact.

5. Consultations with Others – Council Solicitor

6. Access to Information : Background Documents – None

7. Author of the Report – Neville Watson Planning Manager 01756 706402

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Appendices – Report to Planning Committee 29 August 2018

Extract of Minutes from Planning Committee held on 29 August 2018

PL.879

PLANNING SCHEME OF DELEGATION

The Strategic Manager for Planning and Regeneration submitted a report asking the Committee to consider proposed revisions to the Planning Scheme of Delegation.

The Planning Scheme of Delegation had been comprehensively reviewed in 2002 and most recently amended in 2011, but in the period since 2011 there had been a number of legislative changes and as such there was a need to update the Scheme to ensure that decisions were made within the legislative timescales and to ensure that deemed approvals were not granted by default. In recommending changes to reflect the legislative changes it was also recommended that the Scheme be amended so as to clarify and streamline the 7 day notice procedure. Although the changes, if adopted, may reduce the number of applications considered by Committee they would not be designed to increase delegation to Officers, save for the revisions to meet legislative requirements.

During the course of the ensuing discussion a Member in referring to the ability to refer an application to committee drew attention to the potential for some applications to have an impact on a neighbouring ward, and on putting the revised scheme to the vote it was

Resolved – That, subject to Paragraph 7 (Ward Member Referrals) of the draft revised Planning Scheme of Delegation being appropriately amended to include reference to members of neighbouring wards also being able to request that an application be referred to Planning Committee, the draft revised Planning Scheme of Delegation is approved for reference to Council for approval.

Notes : 1. The amended wording to Paragraph 7 Ward Member Referrals will be presented to Planning Committee on 24th September, 2018.

2. Under the Council's Constitution the revised Planning Scheme of Delegation would be presented to Audit and Governance Committee before reference to Council.

Extract of Minutes from Planning Committee held on 24 September 2018

PL.882

PLANNING SCHEME OF DELEGATION

Further to Minute PL.879/18-19, the Strategic Manager for Planning and Regeneration submitted a report asking the Committee to consider an amendment to the proposed revised Planning Scheme of Delegation.

Members were reminded that in considering the proposed revised scheme of delegation at its meeting on 29th August 2018, the Committee had resolved that subject to Category 7 (Ward Member Referrals) of the draft Revised Planning Scheme of delegation being appropriately amended to include reference to members of neighbouring wards also being able to request that an application be referred to Planning Committee, the draft revised Planning Scheme of delegation be approved for reference to Council for approval. The following wording for Category 7 was presented for approval-

Where a ward member requests, in writing, within 21 days of the receipt of the weekly list or by the closure of any publicity which has been carried out on the application (whichever is the latest), that an application be presented to the Planning Committee for decision, identifying the planning reasons for the referral and how the development affects their ward and agreed with the Planning Manager in consultation with the Chairman.

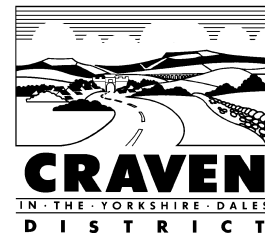
Footnote : As worded Category 7 referrals enables members other than the member for the ward within which the site is located to seek to refer the application to Committee where the development would have an effect on their ward.

Following a brief discussion it was

Resolved – That, the revised drafting of Category 7, Planning Scheme of Delegation, Ward Member referrals, as now submitted, is approved for inclusion within the revised Scheme of Delegation adopted by Planning Committee on 29th August 2018 for reference to Council for approval.

Notes : Under the Council's Constitution the revised Planning Scheme of Delegation would be presented to Audit and Governance Committee before reference to Council.

Audit and Governance Committee – 30 October 2018



REVIEW OF POLLING DISTRICTS AND POLLING PLACES

Report of the Chief Executive (Returning Officer)

Ward(s) affected: All

1. **Purpose of Report**

To inform the committee of a Review of Polling Districts and Polling Places for the Craven District, which began on 1 October 2018. The review is required under the provisions of the Electoral Administration Act 2006 (as amended).

2. **Recommendations** – Members are recommended to:

- 2.1 Note the contents of this report and consider the initial proposals published by the (Acting) Returning Officer.

3. **Background**

- 3.1 Under the provisions of the Electoral Administration Act 2006 (as amended) the Council is required to undertake a regular review of the polling districts and polling places in the District. The Electoral Registration and Administration Act 2013 amended the timing of compulsory reviews of UK Parliamentary polling districts and polling places. This review must be completed by 31 January 2020 and subsequent reviews undertaken every five years.
- 3.2 The Electoral Commission defines a **polling district** as a geographical area created by the sub-division of a constituency, ward or division into a smaller part; a **polling place** as the building or area in which polling stations will be selected by the (acting) Returning Officer. A **polling station** is the room or building where the poll takes place.
- 3.3 Each Parish is a separate polling district but may be sub-divided further if the size of the parish and the number and location of electors requires this.
- 3.4 When designating polling districts and determining where polling places should be located, the Council must seek to ensure that the voting facilities for all electors in the District, including those who are disabled, are reasonable and practical in the circumstances.
- 3.5 It is the responsibility of the Council to designate polling districts and places. The Returning Officer is responsible for designating the polling stations within the polling places however; the Returning Officer will be pleased to receive members' views.

3.6 In undertaking a polling district and place review, the Council must:

- a) Publish Notice of the holding of the review;
- b) Consult the (Acting) Returning Officer for every Parliamentary Constituency which is wholly or partly in its area;
- c) Enable the (Acting) Returning Officer to make representations to the Council and publish them in a prescribed manner;
- d) Seek representations from such persons that it considers has particular expertise in relation to access to premises or facilities for those who have different forms of disability;
- e) Allow any elector in the Council's area to make representations which could include proposals for alternative Polling Places.

3.7 On completion of the review, the Council must give reasons for its decisions and publish this information.

4. **Consultations undertaken**

4.1 Notice of Review was published on the 1 October 2018. Full details of the review were published on the Council's website and also sent to all Members and Parishes within the District and preliminary comments sought.

4.2 The (Acting) Returning Officer also published his comments on the current polling districts and places on the 1 October 2018. Consultation is now open and views are being invited from the stakeholders listed below:

- a) Members of the Council
- b) Parish Councils/Parish Meetings
- c) Disability Groups
- d) Community Groups
- e) Political Groups
- f) Any other registered elector within Craven District

4.3 Appendix A gives the current list of polling districts and the location of each polling station, along with the number of electors who are polling station voters and the number who vote by post.

4.4 Appendix B shows the initial proposals made by the (Acting) Returning Officer.

5. **Conclusion**

5.1 The Review documents have been presented to the Committee for their consideration. Following the conclusion of the consultation period, final recommendations will be made by the council and a further report presented to this Committee for approval, after which Full Council will be asked to approve.

6. **Implications**

Financial – If there were to be changes in the number of polling stations, this would have the effect of increasing or reducing the cost of elections. Each polling station costs approximately £600-£700.

Legal – the key legal requirements and considerations are set out in the body of this report. There is a legal requirement for the Council to undertake a review of its Polling Districts and Places by 31 January 2020.

Communication to corporate priorities – none, statutory requirement.

Risk Management – Election planning includes consideration of contingency arrangements in the event of a polling station becoming unavailable.

7. **Author of the Report** – Ben Nattrass, Electoral Services Manager

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendices**

Appendix A – Schedule of Polling Districts, Polling Places and Polling Stations in the Craven District at September 2018
Appendix B – (Acting) Returning Officer's initial proposals

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN



Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
Aire Valley with Lothersdale	AVL1	Bradleys Both	Village Hall, Lidget Road, Bradley, BD20 9DS	Yes	Yes	Yes	806	-40	159
	AVL2	Cononley	Village Institute, Cononley, BD20 8NT	Yes	Yes	Yes	795	4	142
	AVL3	Farnhill	The Institute, Main Street, Farnhill, BD20 9BJ	Yes	Yes	Yes	325	19	71
	AVL4	Kildwick	Parish Rooms, Kirkgate, Kildwick, BD20 9BB	Yes	Yes	Yes	119	-11	34
	AVL5	Lothersdale	Village Hall, Lothersdale, BD20 8EL	Yes	Yes	Yes	449	10	70
Barden Fell	BAF1	Appletreewick	The Institute, Appletreewick, BD23 6DA	Yes	On street	Yes	134	-9	44
	BAF2	Barden	The Chapel, Barden, BD23 6AS	No	On street	No	65	0	3
	BAF3	Beamsley	Bolton Abbey Village Hall, Bolton Abbey, BD23 6EX	Yes	Yes	Yes	110	-6	32
	BAF4	Bolton Abbey	Bolton Abbey Village Hall, Bolton Abbey, BD23 6EX	Yes	Yes	Yes	79	-16	15

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	BAF5	Burnsall	Burnsall Village Hall, Burnsall , BD23 6BP	Yes	On street	Yes	67	4	15
	BAF6	Cracoe	Cracoe and District Community Village Hall, Cracoe , BD23 6LQ	Yes	Yes	Yes	117	6	29
	BAF7	Draughton	Village Hall, Draughton, BD23 6EG	Yes	On street	Yes	176	-9	32
	BAF8	Halton East	Mobile Polling Station, Holme Lane, Halton East	No, but as a mobile station, polling staff could easily assist disabled voters	On street	No	66	3	11
	BAF9	Hazelwood-with-Storiths	Bolton Abbey Village Hall, Bolton Abbey, BD23 6EX	Yes	Yes	Yes	58	-9	13
	BAF10	Hetton-cum-Bordley	Methodist Church Sunday School, Hetton , BD23 6LT	Yes	On street	Yes	94	-2	21
	BAF11	Rylstone	Cracoe and District Community Village Hall, Cracoe , BD23 6LQ	Yes	Yes	Yes	120	-9	18

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	BAF12	Thorpe	Burnsall Village Hall, Burnsall, BD23 6BP	Yes	On street	Yes	33	5	9
Bentham	BEN1	Burton-in-Lonsdale	Village Hall, High Street, Burton-in-Lonsdale	Yes	Yes	Yes	404	11	58
	BEN2	High Bentham	Town Hall, Bentham, Lancaster, LA2 7LH	Yes	Yes	Yes	1518	54	230
	BEN3	Low Bentham	Low Bentham Victoria Institute, Low Bentham, LA2 7BX	Yes	Public car park nearby	Yes	598	-7	118
Cowling	COW1	Cowling	Cowling Village Hall, Acre Road, Cowling, BD22 0FN	Yes	Yes	Yes	1559	120	301
Embsay-with-Eastby	EWE1	Embsay-with-Eastby	Embsay-with-Eastby Village Hall, Main Street, Embsay, BD23 6RE	Yes	Public car park across road	Yes	1302	45	258
Gargrave and Malhamdale	GAM1	Airton	Quaker Meeting House, Airton, BD23 4AE	Yes	Yes	Yes	111	-19	28
	GAM2	Bank Newton	Village Hall, West Street, Gargrave, BD23 3RD	Yes	Yes	Yes	40	-1	8

□

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	GAM3	Calton	Quaker Meeting House, Airton, BD23 4AE	Yes	Yes	Yes	41	1	11
	GAM4	Coniston Cold	Richard Tottie Memorial Hall, Coniston Cold, BD23 4AE	Yes	Yes	Yes	130	12	33
	GAM5	Eshton	Village Hall, West Street, Gargrave, BD23 3RD	Yes	Yes	Yes	36	-6	11
	GAM6	Flasby-with-Winterburn	Village Hall, West Street, Gargrave, BD23 3RD	Yes	Yes	Yes	65	1	23
	GAM7	Gargrave	Village Hall, West Street, Gargrave, BD23 3RD	Yes	Yes	Yes	1232	34	220
	GAM8	Hanlith	Village Hall, Malham, BD23 4DH	Yes	Yes	Yes	22	-1	7
	GAM9	Kirkby Malham	Village Hall, Malham, BD23 4DH	Yes	Yes	Yes	76	1	13
	GAM10	Malham	Village Hall, Malham, BD23 4DH	Yes	Yes	Yes	98	4	26
	GAM11	Malham Moor	Village Hall, Malham, BD23 4DH	Yes	Yes	Yes	31	-1	15

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	GAM12	<u>Otterburn</u>	Quaker Meeting House, Airton, BD23 4AE	Yes	Yes	Yes	30	0	4
	GAM13	<u>Scosthrop</u>	Quaker Meeting House, Airton, BD23 4AE	Yes	Yes	Yes	49	-11	9
	GAM14	<u>Stirton-with-Thorlby</u>	Mobile Station, Car Park, White Hills Golf Range, Stirton, BD23 3LH	Yes	Yes	Yes	157	15	28
Glusburn	GLU1	Cross Hills	St Peters Methodist Church, Cross Hills, BD20 8TF	Yes	Yes	Yes	1531	90	326
	GLU2	Glusburn	Glusburn Institute, Colne Road, Glusburn, BD20 8PJ	Yes	Yes	Yes	1024	-2	215
<u>Grassington</u>	GRA1	<u>Grassington</u>	Church House, Main Street, <u>Grassington</u> , BD23 5BD	Yes	Yes	Yes	795	32	146
	GRA2	<u>Hartlington</u>	The Ibbotson Institute, <u>Hebden</u> , BD23 5DP	No	On street	Yes	39	3	12
	GRA3	<u>Hebden</u>	The Ibbotson Institute, <u>Hebden</u> , BD23 5DP	No	On street	Yes	174	10	28

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	GRA4	Linton	Anderton Institute, Linton, BD23 5HQ	Yes	Limited	Yes	90	-20	19
Hellifield and Long Preston	HLP1	Hellifield	The Institute, Hellifield, BD23 4HT	Yes	Yes	Yes	989	-26	172
	HLP2	Long Preston	Village Hall, Long Preston, BD23 4NU	Yes	Yes	Yes	509	-22	113
Ingleton and Clapham	IAC1	Austwick	Parish Hall, Austwick, LA2 8BN	Yes	Yes	Yes	343	24	62
	IAC2	Clapham-cum-Newby	Clapham Village Hall, Clapham, LA2 8DZ	Yes	Yes	Yes	400	-28	83
	IAC3	Ingleton	Ingleborough Community Centre, Ingleton, LA6 3HG	Yes	Yes	Yes	1515	13	253
	IAC4	Lawkland	Parish Hall, Austwick, LA2 8BN	Yes	Yes	Yes	184	8	50
	IAC5	Thornton-in-Lonsdale	Westhouse Village Hall, Westhouse, LA6 3PB	Yes	Yes	Yes	235	4	39
Penyghent	PEN1	Giggleswick	Parish Rooms, Bankwell Road, Giggleswick, BD24 0AP	Yes	Yes	Yes	785	20	174

□

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	PEN2	Horton-in-Ribblesdale	The Village Hall, Chapel Lane, Horton-in-Ribblesdale, BD24 0HH	Yes	Yes	Yes	282	7	69
	PEN3	Stainforth	Stainforth Village Hall, Stainforth, BD24 9PE	Yes	Yes	Yes	162	0	26
Settle and Ribblesbanks	SAR1	Halton West	Wigglesworth Community Centre, Wigglesworth, BD23 4RD	Yes	Yes	Yes	40	9	18
	SAR2	Langcliffe	Village Institute, Langcliffe, BD24 9RD	Yes	Yes	Yes	232	6	42
	SAR3	Settle	Victoria Hall, 24 Kirkgate, Settle, BD24 9DZ	Yes	Public car park nearby	Yes	1938	15	343
	SAR4	Rathmell	Rathmell Reading Room, Rathmell, BD24 0LH	Yes (ramp available)	On street parking	Yes	223	25	22
	SAR5	Wigglesworth	Wigglesworth Community Centre, Wigglesworth, BD23 4RD	Yes	Yes	Yes	243	115	48
Skipton East	SKE1	Skipton East	Skipton Prevention Service Hub, Otley Street, Skipton	No	On street	No	1091	-27	286

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	SKE2	Skipton East	St John Hall, Shortbank Road, Skipton	Yes	Yes	No	1227	105	275
Skipton North	SKN1	Skipton North	Craven Swimming Pool, Gargrave Road, Skipton, BD23 1UD	Yes	Yes	Doubtful	1016	-152	344
	SKN2	Skipton North	Town Hall, High Street, Skipton, BD23 1AH	Yes	Public car park to rear	Yes	1000	250	263
	SKN3	Skipton North	Site Office, Overdale Park, Harrogate Road, Skipton, BD23 6AA	Yes	Yes	Yes	238	-15	70
Skipton South	SKS1	Skipton South	Skipton Children's Centre, Brougham Street, Skipton, BD23 2ES	Yes	Yes	Yes	1074	46	187
	SKS2	Skipton South	Greatwood/Horse Close Community Centre, North Parade, Skipton, BD23 2SR	Yes	Yes	Yes	1308	43	209
Skipton West	SKW1	Skipton West	Broughton Road Community Centre, Broughton Road, Skipton BD23 1TT	Yes	On street	Yes	811	28	88

□

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	SKW2	Skipton West	1. Christ Church Hall, Keighley Road, Skipton, BD23 2AH 2. Champions Church, Carleton Road, Skipton, BD23 2AU	Yes/Yes	On street parking/Yes	Yes/Yes	1789	82	397
Sutton-in-Craven	SIC1	Sutton-in-Craven	South Craven Baptist Church, Holme Lane, Sutton-in-Craven, BD20 7LL	Yes	Yes	Yes	801	-58	149
	SIC2	Sutton-in-Craven	South Craven Baptist Church, Holme Lane, Sutton-in-Craven, BD20 7LL	Yes	Yes	Yes	1632	20	303
Upper Wharfedale	UWH1	Arncliffe	Amerdale Hall, Arncliffe, BD23 5QD	Yes	On street	Yes	67	3	9
	UWH2	Buckden	Village Institute, Buckden, BD23 5JA	Yes	Yes	Yes	118	0	33
	UWH3	Conistone-with-Kilnsey	Village Hall, Kilnsey, BD23 5HS	Yes	Yes	Yes	91	18	19
	UWH4	Halton Gill	Amerdale Hall, Arncliffe, BD23 5QD	Yes	On street	Yes	37	6	8
	UWH5	Hawkswick	Amerdale Hall, Arncliffe, BD23 5QD	Yes	On street	Yes	40	7	19

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	UWH6	Litton	Amerdale Hall, Arncliffe, BD23 5QD	Yes	On street	Yes	38	-6	8
	UWH7	Kettlewell-with-Starbotten	Village Hall, Kettlewell, BD23 5QZ	Yes	Yes	Yes	230	-15	36
	UWH8	Threshfield	Threshfield Village Institute, Threshfield, BD23 5HQ	Yes	Yes	Yes	705	-29	194
West Craven	WCR1	Broughton	Utopia, Broughton Hall, Broughton, BD23 3AE	Yes	Yes	Yes	64	-2	3
	WCR2	Carleton	Village Hall, Carleton, BD23 3HN	Yes	On street	Yes	743	24	124
	WCR3	Elslack	St Mary's Church, Church Road, Thornton-in-Craven, BD23 3TS	Yes	On Street	Doubtful	56	-9	18
	WCR4	Martons Both	Village Institute, West Marton, BD23 3UD	No	On street	Yes	173	20	49
	WCR5	Thornton-in-Craven	St Mary's Church, Church Road, Thornton-in-Craven, BD23 3TS	Yes	On Street	Doubtful	296	4	68

APPENDIX A – CURRENT POLLING PLACES IN CRAVEN

Ward Name	Polling District	Area Name	Current Polling Station	Disabled Access?	Parking Available?	Still Available for use?	Number of polling station voters	Change since 2014 - Increase/Decrease	Number of postal voters
	UWH6	Litton	Amerdale Hall, Arncliffe, BD23 5QD	Yes	On street	Yes	38	-6	8
	UWH7	Kettlewell-with- Starbotten	Village Hall, Kettlewell, BD23 5QZ	Yes	Yes	Yes	230	-15	36
	UWH8	Threshfield	Threshfield Village Institute, Threshfield, BD23 5HQ	Yes	Yes	Yes	705	-29	194
West Craven	WCR1	Broughton	Utopia, Broughton Hall, Broughton, BD23 3AE	Yes	Yes	Yes	64	-2	3
	WCR2	Carleton	Village Hall, Carleton, BD23 3HN	Yes	On street	Yes	743	24	124
	WCR3	Elsack	St Mary's Church, Church Road, Thornton-in-Craven, BD23 3TS	Yes	On Street	Doubtful	56	-9	18
	WCR4	Martons Both	Village Institute, West Marton, BD23 3UD	No	On street	Yes	173	20	49
	WCR5	Thornton-in-Craven	St Mary's Church, Church Road, Thornton-in-Craven, BD23 3TS	Yes	On Street	Doubtful	296	4	68

CRAVEN DISTRICT COUNCIL

REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2018/19

RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

This document contains a schedule of the current/proposed polling places.

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Aire Valley with Lothersdale Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
AVL 1	Village Hall, Lidget Road, Bradley, BD20 9DS	No Change	Approve for continued use
AVL 2	Village Institute, Cononley, BD20 8NT	No Change	Approve for continued use
AVL 3	The Institute, Main Street, Farnhill, BD20 9BJ	No Change	Approve for continued use
AVL 4	Parish Rooms, Kirkgate, Kildwick, BD20 9BB	No Change	Approve for continued use
AVL 5	Village Hall, Lothersdale, BD20 8EL	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Barden Fell Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	No. OF POLLING STATION VOTERS	TO BE APPROVED
BAF 1	The Institute, Appletreewick, BD23 6DA	No Change		Approve for continued use
BAF 2 (Barden)	Bolton Abbey Village Hall, Bolton Abbey, BD23 6EX	Change	65	Approve for future use
BAF 3, BAF 4, BAF 9	Bolton Abbey Village Hall, Bolton Abbey, BD23 6EX	No Change		Approve for continued use
BAF 5, BAF 12	Burnsall Village Hall, Burnsall, BD23 6BP	No Change		Approve for continued use
BAF 6, BAF 11	Cracoe and District Community Village Hall, Cracoe, BD23 6LQ	No Change		Approve for continued use
BAF 7	Village Hall, Draughton, BD23 6EG	No Change		Approve for continued use
BAF 8 (Halton East)	Bolton Abbey Village Hall, Bolton Abbey, BD23 6EX	Change	66	Approve for future use
BAF 10	Methodist Church Sunday School, Hetton, BD23 6LT	No Change		Approve for continued use

(Acting) Returning Officer's Proposal

In 2016, the polling place for the BAF 2 (Barden) polling district became unavailable. A replacement was found for the 2017 County Council elections, but this was then unavailable for the 2017 General Election, requiring electors to vote in Bolton Abbey instead. The replacement

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

used in 2017 is primarily a wedding venue, and as such it cannot be guaranteed to be available for use as a polling station every year. The proposal is to move the polling place for BAF 2 to Bolton Abbey Village Hall permanently.

Similarly, since the last polling place review, the polling station for BAF 8 (Halton East) became unavailable and was replaced with a mobile polling station. While this has worked well, the mobile home used previously is no longer available. The proposal is to move the polling place for BAF 2 to Bolton Abbey Village Hall permanently.

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Bentham Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
BEN 1	Village Hall, High Street, Burton-in-Lonsdale	No Change	Approve for continued use
BEN 2	Town Hall, Bentham, Lancaster, LA2 7LH	No Change	Approve for continued use
BEN 3	Low Bentham Victoria Institute, Low Bentham, LA2 7BX	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Cowling Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
COW 1	Cowling Village Hall, Acre Road, Cowling, BD22 0FN	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Embsay-with-Eastby Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
EWE 1	Embsay-with-Eastby Village Hall, Main Street, Embsay, BD23 6RE	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Gargrave and Malhamdale Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
GAM 1, GAM 3, GAM 12, GAM 13	Quaker Meeting House, Airton, BD23 4AE	No Change	Approve for continued use
GAM 2, GAM 5, GAM 6, GAM 7	Village Hall, West Street, Gargrave, BD23 3RD	No Change	Approve for continued use
GAM 4	Richard Tottie Memorial Hall, Coniston Cold, BD23 4AE	No Change	Approve for continued use
GAM 8, GAM 9, GAM 10, GAM 11	Village Hall, Malham, BD23 4DH	No Change	Approve for continued use
GAM 14	Mobile Station, Car Park, White Hills Golf Range, Stirton, BD23 3LH	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Glusburn Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
GLU 1	St Peters Methodist Church, Cross Hills, BD20 8TF	No Change	Approve for continued use
GLU 2	Glusburn Institute, Colne Road, Glusburn, BD20 8PJ	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Grassington Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
GRA 1	Church House, Main Street, Grassington, BD23 5BD	No Change	Approve for continued use
GRA 2, GRA 3	The Ibbotson Institute, Hebden, BD23 5DP	No Change	Approve for continued use
GRA 4	Anderton Institute, Linton, BD23 5HQ	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Hellifield and Long Preston Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
HLP 1	The Institute, Hellifield, BD23 4HT	No Change	Approve for continued use
HLP 2	Village Hall, Long Preston, BD23 4NU	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Ingleton and Clapham Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
IAC 1, IAC 4	Parish Hall, Austwick, LA2 8BN	No Change	Approve for continued use
IAC 2	Clapham Village Hall, Clapham, LA2 8DZ	No Change	Approve for continued use
IAC 3	Ingleborough Community Centre, Ingleton, LA6 3HG	No Change	Approve for continued use
IAC 5	Westhouse Village Hall, Westhouse, LA6 3PB	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Penyghent Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
PEN 1	Parish Rooms, Bankwell Road, Giggleswick, BD24 0AP	No Change	Approve for continued use
PEN 2	The Village Hall, Chapel Lane, Horton-in-Ribblesdale, BD24 0HH	No Change	Approve for continued use
PEN 3	Stainforth Village Hall, Stainforth, BD24 9PE	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Settle and Ribblesbanks Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
SAR 1, SAR 5	Wigglesworth Community Centre, Wigglesworth, BD23 4RD	No Change	Approve for continued use
SAR 2	Village Institute, Langcliffe, BD24 9RD	No Change	Approve for continued use
SAR 3	Victoria Hall, 24 Kirkgate, Settle, BD24 9DZ	No Change	Approve for continued use
SAR 4	Rathmell Reading Room, Rathmell, BD24 OLH	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Skipton East Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	No. OF POLLING STATION VOTERS	TO BE APPROVED
SKE1	Skipton Baptist Church, Otley Road, Skipton	New Polling Station	1091	Approve for future use
SKE2	Skipton Baptist Church, Otley Road, Skipton	New Polling Station	1227	Approve for future use

(Acting) Returning Officer's Proposal

The polling place for SKE2 (St John Hall) has recently been sold and is no longer available. The Prevention Service Hub on Otley Street, has also recently closed down. Skipton Baptist Church, also on Otley Street could serve as a replacement for both. It is a large space with level access to the side of the building.

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Skipton North Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	No. OF POLLING STATION VOTERS	TO BE APPROVED
SKN 1	Town Hall, High Street, Skipton, BD23 1AH	Change	1,016	Approve for future use
SKN 2	Town Hall, High Street, Skipton, BD23 1AH	No Change		Approve for continued use
SKN 3	Site Office, Overdale Park, Harrogate Road, Skipton, BD23 6AA	No Change		Approve for continued use

(Acting) Returning Officer's Proposal

The polling place for SKN 1 has been Craven Swimming Pool. When the polling place first moved to this location, it served the purpose well, however since then, parking charges have been introduced, the polling station location was moved from the café area to the dance studio and new internal barriers have been erected creating obstacles for voters. The Town Hall is an existing polling station with free parking spaces available, good access and being located a similar distance away for most voters within the polling district. The proposal is to move the polling place from the Swimming Pool to the Town Hall.

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Skipton South Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
SKS 1	Skipton Children's Centre, Brougham Street, Skipton, BD23 2ES	No Change	Approve for continued use
SKS 2	Greatwood/Horse Close Community Centre, North Parade, Skipton, BD23 2SR	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Skipton West Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	No. OF POLLING STATION VOTERS	TO BE APPROVED
SKW 1	Broughton Road Community Centre, Broughton Road, Skipton BD23 1TT	No Change		Approve for continued use
SKW 2 (a)	Champions Church, Carleton Road, Skipton, BD23 2AU	Change	800	Approve for future use
SKW 2 (b)	Champions Church, Carleton Road, Skipton, BD23 2AU	No Change		Approve for continued use

(Acting) Returning Officer's Proposal

In SKW 2 previously, two different polling places have been used for one polling district. There should only be one polling place per polling district. The proposal is to stop using Christ Church as a polling place and have all voters in the polling district vote at Champions Church.

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Sutton-in-Craven Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	TO BE APPROVED
SIC 1, SIC 2	South Craven Baptist Church, Holme Lane, Sutton-in-Craven, BD20 7LL	No Change	Approve for continued use

(Acting) Returning Officer's Proposal

No Changes are recommended for these polling places

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

Upper Wharfedale Ward

POLLING DISTRICT	POLLING PLACE	PROPOSAL	No. OF POLLING STATION VOTERS	TO BE APPROVED
UWH1, UWH4, UWH5, UWH6	Amerdale Hall, Arncliffe, BD23 5QD	No Change		Approve for continued use
UWH2	Village Institute, Buckden, BD23 5JA	No Change		Approve for continued use
UWH3 (Conistone-with-Kilnsey)	Threshfield Village Institute	Change	91	Approve for future use
UWH7	Village Hall, Kettlewell, BD23 5QZ	No Change		Approve for continued use
UWH8	Threshfield Village Institute, Threshfield, BD23 5HQ	No Change		Approve for continued use

(Acting) Returning Officer's Proposal

Residents of Polling District UWH3 (Conistone-with-Kilnsey) have previously voted at Kilnsey Village Hall. There are however only 91 registered polling station voters in that polling district. The recommendation is to change the location of the polling station to Threshfield Village Institute.

APPENDIX B – RECOMMENDATIONS BY THE (ACTING) RETURNING OFFICER

West Craven Ward

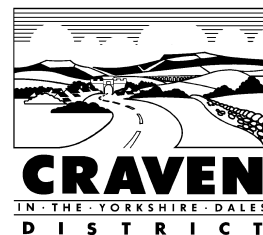
POLLING DISTRICT	POLLING PLACE	PROPOSAL	No. OF POLLING STATION VOTERS	TO BE APPROVED
WCR 1 (Broughton)	Village Institute, West Marton, BD23 3UD	Change	64	Approve for future use
WCR 2	Village Hall, Carleton, BD23 3HN	No Change		Approve for continued use
WCR 3 (Elslack), WCR 5 (Thornton-in-Craven)		Change	352	Find alternative venue
WCR 4	Village Institute, West Marton, BD23 3UD	No Change		Approve for continued use

(Acting) Returning Officer's Proposal

Residents of Polling District WCR1 (Broughton) have previously voted at Utopia, Broughton Hall. There are however only 64 registered polling station voters in that polling district. The recommendation is to change the location of the polling station to Village Institute, West Marton. Since the last polling district review, residents of Polling Districts WRC3 (Elslack) and WCR5 (Thornton-in-Craven) have voted at St Marys Church, Thornton-in-Craven. The church committee no longer wish the church to be used as a polling station, so an alternative venue needs to be found. Possibilities include the Village Hall, or the local primary school.

Audit and Governance Committee – 30 October 2018

REGULATION OF INVESTIGATORY POWERS ACT 2000



Report of the Solicitor to the Council and Monitoring Officer

1. **Purpose of Report** – To advise the Committee of the Council's use of covert surveillance under the Regulation of Investigatory Powers Act 2000 since November 2017 and to update the Committee on a recent desktop inspection undertaken by the Investigatory Powers Commissioner's Office.
2. **Recommendations** – Members are recommended to note the content of the report.
3. **Report**
 - 3.1 The Council has a number of statutory functions which involve officers investigating the conduct of others with a view to bringing legal action against them. The majority of investigations are carried out overtly (i.e. openly) but some may require the use of covert surveillance techniques or involve the acquisition of communications data.
 - 3.2 The Regulation of Investigatory Powers Act 2000 (RIPA) regulates the authorisation and monitoring of these investigations to safeguard the public from unwarranted intrusion of privacy and since November 2012, the Protection of Freedoms Act 2012 has required local authorities to obtain the prior approval of a magistrate for the use of covert surveillance.
 - 3.3 At its meeting on the 9 November 2015 and in order to meet the requirements of the revised Home Office Code of Practice, this Committee resolved that the Solicitor to the Council submit regular reports to the Committee on the Council's use of covert surveillance.
 - 3.4 Since the last report dated 14 November 2017, no covert surveillance has been authorised.
 - 3.5 During August 2018, the Council was the subject of a desktop based documentary inspection by Inspector Grainne Athorn of the Investigatory Powers Commissioner's Office ('IPCO'). The IPCO concluded that the Council had demonstrated "*a level of compliance that removes, for the present, the requirement for a physical inspection*". A copy of the IPCO's letter is attached. A number of minor amendments to the Council's RIPA Policy Statement were suggested and these will be considered and a revised Policy Statement presented to the Committee in due course.

4. **Implications**

- 4.1 **Financial and Value for Money (vfm) Implications** – There are no financial implications arising from this report.
- 4.2 **Legal Implications** – These are set out in the body of the report.
- 4.3 **Contribution to Council Priorities** – Not applicable.
- 4.4 **Risk Management** – The Council must ensure that it is fully compliant with the legal requirements set out in RIPA otherwise its use of RIPA may be in breach of the European Convention on Human Rights and the Human Rights Act 1998 and therefore at risk of challenge. This may lead to both financial and reputational risk.
- 4.5 **Equality Analysis** – The Council's Equality Impact Assessment procedure does not apply to this report as there are no changes to any policy.

5. **Consultations with Others** – None

6. **Access to Information : Background Documents** – The Council's Regulation of Investigatory Powers Act 2000 Policy Statement and Procedures document

7. **Author of the Report** – Annette Moppett, Solicitor to the Council and Monitoring Officer; telephone: 01756 706325; e-mail: amoppett@cravendc.gov.uk

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendices** – Letter from the Investigatory Powers Commissioner dated 12 September 2018.



Investigatory Powers
Commissioner's Office

PO Box 29105, London
SW1V 1ZU

Chief Executive Paul Shevlin
Craven District Council
Council Offices
1 Belle Vue Square
Broughton Road
Skipton
BD23 1FJ

12 September 2018

Dear Mr Shevlin,

Inspection of Craven District Council

Your Council was recently subject of a desktop based documentary inspection by one of my Inspectors, Gráinne Athorn. I am grateful to you for facilitating this through the Council's Monitoring Officer Ms Annette Moppett who has provided a very thorough response to our request for information.

The response you have provided has demonstrated a level of compliance that removes, for the present, the requirement for a physical inspection. It is anticipated that this will be undertaken when your authority's next three-yearly inspection is due.

Your Council was found to have a comprehensive and clear RIPA Policy that explains in detail the process that must be followed when applying to use covert investigative powers, albeit it would be helpful if two minor amendments could be made:

- i, references to the Office of Surveillance Commissioners (OSC) should be updated to reflect the role of the Investigatory Powers Commissioner's Office (IPCO) – paragraphs 2.16, 4.9.2 & section 8.
- ii, the section concerning social media (7) to be expanded to reflect the policy position identified in section 14 of the formal inspection response, namely that Council staff are not permitted to utilise covert profiles online.

I note that refresher training is due to be provided later this year, to address, somewhat belatedly, the recommendation from 2015 for the establishment of a training programme. It is important for key officers within the Council to maintain the knowledge and skills required to authorise and oversee the use of investigative powers, however remote the possibility that they will be used.

Finally, I note that action has been taken to remedy the other five Recommendations contained within the last Inspection Report (of June 2015), including the provision of regular reports to Council Members.

My Office is available to you should you have any queries following the recent desktop inspection, or at any point in the future. Contact details are provided at the foot of this letter.

Yours Sincerely,

A handwritten signature in black ink that reads "Adrian Fulford". The signature is written in a cursive style with a large initial 'A' and a long, sweeping underline.

The Rt. Hon. Lord Justice Fulford
The Investigatory Powers Commissioner