

DARTMOOR NATIONAL PARK AUTHORITY

AUDIT AND GOVERNANCE COMMITTEE

Friday 4 November 2016

Present: Members:
K Ball, A Cooper, S Hill, D Lloyd, C Pannell, P Sanders,
D Webber, P Hitchins, M Retallick

Officers:
Kevin Bishop (Chief Executive (National Park Officer))
Alison Kohler (Director of Conservation and Communities)
Stephen Belli (Head of Planning)
Neil White (Head of Organisational Development)
Sam Hill (Head of Communications, Economy and Fundraising)
Christopher Walledge (Head of Legal and Democratic Services)

Andrew Shaw – Grant Thornton

Apologies: J McInnes
D Healy (Head of Business Support)

The Chairman, on behalf of Members, welcomed Mr Mike Galt who, as advised by the Head of Legal and Democratic Services, has agreed to take on the role of Independent Person and is expected to join Mr Stapleton who has been the Authority's Independent Person for the last 12 months.

439 Minutes of the meeting held on 6 May 2016

The Minutes of the meeting held on 6 May 2016 were signed as a correct record.

440 Declarations of Interest

None

441 Items Requiring Urgent Attention

None.

442 Public Participation

The Chairman advised Members that Mr Tim Warner had registered to speak at the meeting, and invited Mr Warner to address the committee.

Mr Warner stated there was a problem with the food vendors at the Haytor site in that, in his opinion, the company had stolen his idea. In addition, the company was using a feather sign and, on occasion, anything up to 10

blackboard signs to sell their wares. He advised that he had been told, when he tendered for the site in 2014, that a maximum of 2 blackboards would be permitted at any one time and that feather boards were prohibited. He stated that he had been given a licence by The Head of Legal and Democratic Services and the Director of Conservation and Communities and had invested a lot of energy and money in his business which would have used “the very best of Devon”, but was advised that the generator he had proposed using was unsuitable. He advised Members that he had visited the site at Haytor and found that the company currently in situ was selling “everything that I had proposed”, their generator being larger than that he had intended to use originally. He felt that there was prejudice against him and suggested that Members may have been given the wrong information; he added that he would want to see an independent review of his case.

One Member commented that Mr Warner’s allegations were extremely serious and evidence would be required. In response to the Member’s question, Mr Warner advised that he had evidence that the Authority had acted inappropriately.

443 Internal Audit Final Report – Key Financial Systems Review 2016/17

Members received the report of the Devon Audit Partnership.

In the unfortunate absence of Claire Moore due to illness, the Chief Executive (National Park Officer) advised Members that the auditor’s opinion regarding the ‘Level of Assurance’ was that of a High Standard. With regard to areas of observation the report recorded one area where the Authority is working with HR One, the Authority’s current payroll provider, to improve payroll processing and administration.

The Head of Organisational Development advised that exploratory work will be done in the coming months to determine further efficiencies and streamlining of processes.

Mr Sanders and Mr Ball declared a personal interest in this item of business, as Members of Devon County Council.

In response to a Member query, the Chief Executive (National Park Officer) advised that it was not general practice for Members to meet with the Internal Auditors, without staff present; however, he saw no reason why this should not take place and advised that this opportunity could be made available to Members on the next Audit and Governance Committee date, if it was thought worthwhile.

444 Annual Audit Letter for Dartmoor National Park Authority for the year ended 31 March 2016

The Chairman welcomed Andrew Shaw, Grant Thornton.

Mr Shaw reported to Members that the Annual Audit Letter was the last document to be issued in respect of the 2015/16 financial year. Effectively, the letter was a summary of the work undertaken within the year and confirmed that on 5 September 2016 an unqualified opinion on the Authority's Financial Statements was given.

445 Financial Management 1 April to 30 September 2016 and Forecast Financial Outturn 2016/17

Members received the report of the Head of Business Support (NPA/AG/16/016).

The Chief Executive (National Park Officer) reported that the budget for 2016/17 was set at £3,671,177, funded by National Park Grant (NPG), fees and charges and Earmarked Reserves from the financial year 2015/16 relating to projects to be completed during 2016/17. This has resulted in a net budget increase to £3,857,888. Based on current projections up to the end of September 2016, a surplus of £6,404 is predicted.

He drew Members' attention to the main variations and highlighted the anticipated additional income from planning fees of approximately £20,000. Of the £216,526 Project Fund budget, £125,510 has been approved by Leadership Team, for a wide variety of purposes.

A Member commented that 'Donate for Dartmoor' had seen a very good start due to a lot of promotional work undertaken. The Head of Communications, Economy and Fundraising advised that a marketing and communications plan was being developed in order to maintain momentum.

In response to a Member query, the Chief Executive (National Park Officer) advised that no issues had been raised by the auditors regarding the level of the General Reserve. Any funds required with regard to planning appeals are itemised separately in the reserves.

Mr Hitchins proposed the recommendation, which was seconded by Mr Sanders.

RESOLVED: Members noted the content of the report.

Mr Lloyd joined the meeting.

446 Business Plan Monitoring and Performance Indicators Monitoring 2016/17 Quarter 2

Members received the report of the Head of Organisational Development (NPA/AG/16/017). He advised Members that his report sets out how the Authority has performed in delivering the key actions identified in the Business Plan, as well as Performance Indicator data to the end of September 2016 (Quarter 2). A recent review of progress undertaken by Leadership Team has shown that 50% of the actions identified within the Business Plan are either on

target or have been completed. 46% are currently delayed or behind schedule and 4% unlikely to complete.

In response to Member queries, Officers responded as follows:

- **Postbridge Visitor Centre** – discussions are continuing with the Duchy of Cornwall about options for a potential extension. Both parties have agreed that there is a need to be clear about realistic options by the end of December 2016.
- **MTMTE Scheme** – it was advised that the Landscape Partnership Board had scrutinised performance at its last meeting and raised issues about delayed projects. The Director of Conservation and Communities informed Members that the Heritage Lottery Fund had not expressed any concern at this stage but officers would continue to monitor delivery closely given the potential liabilities for the Authority and a full report on progress would be presented to the Authority at its next meeting.
- **Erosion** – The Director of Conservation and Communities reported that the work to identify priorities is progressing well. Efforts to identify funding sources are continuing.

RESOLVED: Members NOTED the content of the report

447 2016/17 Strategic Risk Register

Members received the report of the Head of Organisational Development (NPA/AG/16/018). He advised Members that Leadership Team review the Register in a quarterly basis and it is reported to this Committee in May and November each year. The most recent review has resulted in the identification of a new strategic risk relating to the Moor Otters project (risk reference F5).

Mrs Pannell proposed the recommendation, which was seconded by Mr Sanders.

RESOLVED: Members approved the updated Strategic Risk Register for 2016/17.

448 Appointment of Independent Person

Members received the report of the Head of Legal and Democratic Services (NPA/AG/16/019).

Members were reminded that the Localism Act 2011 provides that every local authority shall adopt at least one 'independent person'. In July 2015 both of the Authority's Independent Persons retired and Mr Stapleton was appointed in September 2015. The Standards sub-committee resolved to seek a second independent person; the process was successful and has identified Mr Mike Galt as a candidate for appointment. This will provide resilience and cover –

an independent person has a statutory role when a complaint is received regarding a Member of the Authority.

The Head of Legal and Democratic Services advised Members that he is satisfied that Mr Galt has the skills needed for the role and he will be a fresh pair of eyes when scrutinising Authority processes, adding that Mr Galt has already shown his commitment having voluntarily attended the Development Management Committee meeting held in October, and his attendance at the meetings today. He asked Members to support Mr Galt's application and recommend his appointment to Authority.

Mr Sanders thanked Mr Galt for giving up his time and proposed the recommendation, which was duly seconded.

RESOLVED: Members recommended Mr Mike Galt is appointed as an Independent Person to work alongside Mr Tim Stapleton.

449 It was formally proposed and seconded that in accordance with s.100A of the Local Government Act 1972 as amended, the following Agenda item be taken in the absence of the Press and Public on the grounds that exempt information within the meaning of Part 1 Paragraphs 1 & 5 to Schedule 12A of the 1972 Act (as amended) will be discussed, namely:

- Information which is likely to reveal the identity of an individual.
- Information in respect of which a claim of legal professional privilege could be maintained in legal proceedings.

RESOLVED: Members moved into Part II (private) session.

450 Review of Procurement Procedures

Members received the report of the Head of Legal and Democratic Services (NPA/AG/16/020). Members discussed the content of the report.

RESOLVED: Members:

- (i) Noted the findings of the independent investigation and review of the mobile vending procurement process in 2014, and
- (ii) Determined that no further action was necessary.