



SHAFTESBURY TOWN COUNCIL

FULL COUNCIL MEETING

You are summoned to attend the reconvened Meeting of Shaftesbury Town Council which will be held in the Council Chamber, Town Hall, High Street, Shaftesbury Dorset ST7 8JE on Tuesday 29th April 2014 commencing at 8:00pm at which your attendance is required.

Thursday 24rd April 2014

TO ALL MEMBERS OF SHAFTESBURY TOWN COUNCIL: Councillors S Pritchard (Mayor), W Harvey (Deputy Mayor), S Clinch, L Dibben, M Hicks, J Lewer, M Madgwick, J Pestell, P Proctor, K Tippins and R Tippins.

ALSO TO: All Ward Councillors

Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: the three aims of the general duty of the Public Sector Equality Duty (eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, advance equality of opportunity between people from different groups and foster good relations between people from different groups), Crime and Disorder, Health and Safety and Human Rights.

Arrival of the Mayor:

AGENDA

- 2014/57 APOLOGIES FOR ABSENCE**
To receive and accept, if appropriate, apologies from those who are unable to attend the meeting.
- 2014/58 DECLARATION OF INTERESTS**
Members & Officers are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed. (LGA 1972 and Localism Act 2011)
- 2014/59 RECEIPT OF DISPENSATION REQUESTS**
To receive any dispensation requests received by the Clerk and not previously considered.
- 2014/60 PUBLIC RECESS**
Members of the public are invited to make representations to the Shaftesbury Town Council on any matters relating to the work of the Council or to raise any issues of concern. (Public Bodies (admission to meetings) Act 1960)

Members of the public are welcome to attend meetings of the Council and Committees, unless specifically excluded due to the confidential nature of the business. Enquiries to Paul Russell on 01747 852420 or email townclerk@shaftesburytowncouncil.co.uk



SHAFTESBURY TOWN COUNCIL

2014/61 EXEMPT ITEMS – EXCLUSION OF PRESS & PUBLIC

Certain items are expected to include the consideration of exempt information and Stratton St Margaret Parish Council is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

Item Number	Appendix
2014/64	1

2014/62 MOTION ONE

The following motion has been proposed by Cllr Madgwick and seconded by Cllr R Tippins

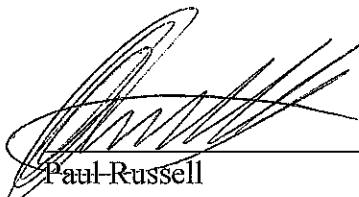
"That Shaftesbury Town Council commits to explore the potential to record Council meetings such that a totally accurate record is maintained as to what is said by whom in its meetings."

2014/63 DRAFT INTERNAL AUDIT REPORT

To consider the draft internal audit report for adoption.

2014/64 CONFIDENTIAL ITEMS

- (a) **Staffing Matters** – Please see Appendix One



Paul Russell
Temporary Clerk to the Council

Accounts & Audit Services Ltd

Comforts Orchard * Corscombe* Dorchester * Dorset * DT2 ONX

Tel/fax 01935 891415

Mobile 07970 376640

Company registered in England no 4299395

Directors: H Lovegrove CPFA & R Lovegrove

Registered under the CIPFA practice assurance scheme

2013/14 INTERNAL AUDIT OF SHAFTESBURY TOWN COUNCIL THIRD REPORT 15 APRIL 2014 GOVERNANCE FOLLOW UP REPORT

1. BACKGROUND

- a. This report follows up the first report into governance matters issued in December 2014 (the December report), which dealt primarily with concerns over staff/member and member/member relationships, and made recommendations aimed at improving matters.
- b. I presented the December report to a meeting of members on 6 January 2014. At that time, the report's content was discussed in detail and accepted. Minute 2014/13 of the Shaftesbury Town Council (STC) meeting on 7 January 2014 listed the members' positive responses to each of the five recommendations.
- c. Because of the number of references to staff issues in the December report, all but Appendix C (the recommendations) remained confidential. The confidential papers included Appendix A (an assessment of Town Council success measures).
- d. Separately, North Dorset District Council (NDDC) had been reviewing the possibility of transferring s.106 monies to STC. NDDC initially concluded on 25 November 2013 that "transferring s106 funded maintenance to STC is a strategic risk". NDDC had been under pressure from STC to review this decision and required sight of the audit report as part of their review process. Subsequently STC agreed to supply NDDC with a redacted version of Appendix A, taking out detailed staff references.
- e. Subsequent meetings of the NDDC Overview and Scrutiny Committee and Cabinet recognised that some Town Council members were working hard to improve the governance but reaffirmed its concerns about the reliability of STC as a partner in respect of projects of a major impact. Consequently NDDC decided instead to proceed with discussions with Dorset County Council over the transfer of items to the Countryside Rangers.
- f. Although NDDC considered the December report as part of its review, its decision was based on the review of a wider body of evidence. The December report affirmed evidence sourced elsewhere.
- g. Members of the STC Human Resources (HR) Committee presented a report to the Council meeting of 25th March 2014. The report (the HR report) recommended (inter alia) "a full investigation into the basis of the Lovegrove audit findings, to determine whether there is any substance behind his governance report". The Council resolved that the Committee should investigate and report back its findings.
- h. Without having been shown the HR report, or being aware of its existence, at STC's request I attended a meeting with members of the Human Resources Committee on 28th March 2014 to discuss the contents, conclusions and recommendations of my December report.
- i. Ms Duke's employment as clerk terminated by mutual agreement at the beginning of April and a temporary replacement clerk, Paul Russell, started work immediately.
- j. I drafted a report responding to HR Committee members' concerns about the selection and use of evidence in the December Report which I then discussed in detail with the new Clerk.
- k. The conclusion of this discussion was that it was time to be positive about the future, and not to be bound up in historical negatives. There was little point drawing out the dialogue between myself and the HR Committee when it would be much more beneficial for that energy to be put into agreeing recommendations, the implementation of which could rapidly correct matters. Mr Russell clearly had the experience and management skills to achieve this.
- l. Consequently the rest of this report comprises a brief update on the implementation of the December report recommendations, a brief conclusion on progress to date, and a set of recommendations agreed with the clerk which can correct matters and provide levels of security desired by NDDC within a short time frame.
- m. There is no further comment on staffing matters which if necessary should be referred to the Council's professional HR advisors.

2. IMPLEMENTATION OF THE DECEMBER REPORT RECOMMENDATIONS

Overall there has been a good response to the December report's recommendations. Taking them in

numerical order:

1. Council meetings are now more orderly helped by chairmen being much better at enforcing the 3 minute rule during the public discussion period.
2. Revised Standing Orders were agreed at the 18th March Council meeting.
3. Peer review was not invited: however de facto will now be provided by the recently appointed clerk.
4. The question of whether the Council will accept the strong presumption that the clerk's advice is correct has yet to be properly tested but as Mr Russell points out there is no obligation for the Council to accept its clerk's recommendations.
5. The HR Committee has been re-established and has been very active.

3. CONCLUSIONS

- a. The Council is serious about recognising and addressing historical shortcomings.
- b. It has acted very quickly to appoint a new clerk who has the experience and ability to correct matters without delay.
- c. It can correct matters quickly by implementing the right action plan.

4. RECOMMENDATIONS

- a. The Council should carry out a Governance Health Check. This comprehensive checklist will rapidly identify shortcomings in governance procedures, ways to address them and procedures for monitoring progress.
- b. Arising from this it should then agree priorities and an action plan. The Council should establish a clear timetable for the above reviews and monitoring procedures to ensure target dates are achieved.
- c. The Council should review its structure and scheme of delegation to Committees, for instance, strengthening the governance function by introducing a Finance and Performance Review committee.
- d. The Council should have a commitment to a regular review of governance and set up relevant Key Performance Indicators to assist with this.
- e. The Council should review its level of transparency in making documents available to its stakeholders, for instance in terms of website content and possible use of social media.