

Merton Council

General Purposes Committee

Membership:

Peter McCabe (chair)
Laxmi Attawar
John Dehaney
Samantha George
Suzanne Grocott
Gam Gurung
Janice Howard (vice-chairman)
Gilli Lewis-Lavender
Ian Munn
Linda Taylor

Substitute Members:

Stan Anderson
Henry Nelles
Sam Thomas
Ray Tindle

A meeting of the General Purposes Committee will be held on:

27 September 2012

Time: 19:15

Venue: Committee Rooms D & E

Merton Civic Centre, London Road, Morden, Surrey

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3616.

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General Purposes Committee

27 September 2012

1. Declarations of pecuniary interest (see note 1)
2. Apologies for absence
3. Minutes of the meeting held on 28 June 2012 3
4. Final Accounts and Annual Governance reports 7

To resolve that the public are excluded from the meeting for the following item of business on the grounds that involves the likely disclosure of exempt information as defined in Part 4B, paragraph 10.4(1) of the Constitution – information relating to an individual
5. Non-renewal of street trading licence

Resume in public session
6. Designation of parts of the highway for the purposes of street trading 239
7. Update and evaluation of iTrent project implementation 261
8. IT systems failure 293
9. Internal audit progress report 303
10. Work programme 323

Possible report to follow

Review of business continuity and emergency planning

1) Declaration of Pecuniary Interests

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.

GENERAL PURPOSES COMMITTEE

28 JUNE 2012

(19:15 TO 22:00)

PRESENT: Councillors Peter McCabe (Chair), Laxmi Attawar, John Dehaney, Samantha George, Gam Gurung, Janice Howard, Gilli Lewis-Lavender, Ian Munn, Debbie Shears and Linda Taylor.

Caroline Holland (Director of Corporate Services), Paul Evans (Assistant Director Corporate Governance), Stephen Bowsher (Corporate Accounting Manager), Brian Thompson (Head of Accountancy), Margaret Culleton (Head of Audit), Ian Murrell (Service Manager – Environmental Health, Trading Standards and Licensing), David Ryan (Technical Officer – Street Trading) and Colin Millar (Democracy Services)

Andy Mack (District Auditor), Rebecca Farmer (Audit Commission)

ALSO PRESENT: Mr E Chillingirian (item 6)

1 DECLARATIONS OF INTEREST (Agenda item 1)

Councillor Samantha George declared a prejudicial interest in item 5 and left the room while it was being discussed.

Councillor Samantha George declared a personal interest in item 9 as a member of the pension fund.

2 APOLOGIES FOR ABSENCE (Agenda item 2)

None

3 MINUTES OF THE MEETING HELD ON 14 MARCH 2012 (Agenda item 4)

RESOLVED: That the minutes of the meeting held on 14 March 2012 are agreed as a correct record.

4 NON-RENEWAL OF STREET TRADING LICENCE (Agenda item 6)

Mr Chillingirian requested an adjournment to allow him to obtain representation.

Ian Murrell did not object to an adjournment.

The Committee agreed to adjourn this item to its next meeting on 27 September.

5 AUDIT COMMISSION REPORT – GENERAL PURPOSES COMMITTEE UPDATE (Agenda item 4)

6 AUDIT COMMISSION REPORT – CONSULTATION ON AUDITOR APPOINTMENT FOR 2012/13 AND FUTURE YEARS (Agenda item 5)

Items 4 and 5 were taken together.

In respect of paragraph 6 on page 13 Andy Mack said that additional information had now been received and he was optimistic that this would not cause the audit opinion

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to be qualified.

The reports were noted.

7 DESIGNATION OF LICENCE STREETS (Agenda item 7)

Councillors Samantha George and Janice Howard moved that the designation in respect of the Lawn Bakery be refused.

Voting For 5, Against 5, the Chair used his casting vote against the resolution which was LOST.

Officers were asked to ensure that the premises were aware of members' concerns about encroachment onto the footpath at this location.

RESOLVED: That the General Purposes Committee agrees to designate the streets as set out in the report.

8 PROGRESS REPORT ON RISK MANAGEMENT (Agenda item 8)

Members discussed the report with the Director.

The IT risk was of particular concern and the Director indicated that there were projects in place which would offer mitigation of this risk including upgrading the first floor provision and an offsite agreement with another London Authority. Members of the Committee were to be circulated with further information. The Committee asked cabinet to prioritise a review of the Business Continuity Plan and emergency planning and to have an update at the 27 September General Purposes Committee meeting.

In response to members queries the Director updated committee on various items:

- KSR59 - a consultation paper on business rates review was expected soon;
- KSR34 – This item was being kept under constant review
- KSR50 – This was being followed up to ensure that risks were mitigated;
- KSR42 – It is currently anticipated that item should be off the register by the end of this financial year;

RESOLVED: That the committee recommends to Cabinet that it prioritises a review of the Business Continuity Plan and emergency planning.

9 ANNUAL GOVERNANCE STATEMENT 2011/12, CODE OF CORPORATE GOVERNANCE AND ANNUAL INTERNAL AUDIT REPORT (Agenda item 9)

Members discussed the report with the Head of Audit and the Director.

- Noted that the last item on the action plan had been added at the request of the Standards Committee;
- Paragraph 4.6 – members would like to see this information published soon;
- The three high risks indicated as outstanding on the report to

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Standards Committee on 19 June had in fact been resolved;

- The contract register improvements are on the AGS improvement programme for 2012/13, spend analysis has been undertaken to assist in updating the contract register. It is anticipated that this will be completed by the end of September.
- Members wished to be informed of the progress of iTrent to ensure that issues were being resolved;

RESOLVED: (1) That the General Purposes Committee agrees the Annual Governance Statement;

(2) That the General Purposes Committee agrees the Code of Corporate Governance;

(3) That the General Purposes Committee notes the annual audit report;

10 2011/12 REVENUE OUTTURN AND FINAL ACCOUNTS (Agenda item 10)

The Director confirmed that the total underspend was £13m. Members asked for this to be clarified in the explanatory foreword.

Responding to a question from members on the closure of Weir Road and charging for green waste collection the Director confirmed that these items were in line with the agreed budget for 2011/12.

Other issues were discussed:

- termination payments total cost was £3.2m;
- future pension liabilities from recent redundancies were provided for within the pension fund reserve;
- static balances on items were documented and followed up to ensure reserves were still required in those areas;
- The notes from the recent Overview and Scrutiny Commission working group were to be circulated to General Purposes Committee members;
- There had been 59 related party transactions returned by members to date;

RESOLVED: That the General Purposes Committee notes the draft statement of accounts.

11 CONSTITUTIONAL CHANGES (Agenda item 11)

Councillors Debbie Shears and Samantha George moved that section 3 of the draft code be deleted.

Voting For 5, against 2 – carried

Members asked for the report to Council to be specific about the date on which the code would come into effect.

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Members agreed that gifts and hospitality should continue to be registered and that this should be incorporated into the code as a council protocol.

RESOLVED: (1) That the General Purposes Committee recommends to the Council that it adopts the draft code of conduct in appendix 1 amended by deleting section 3 and adding a paragraph incorporating Council protocols;

(2) That the General Purposes Committee recommends to the Council that it agrees the other constitutional changes set out in appendix 2;

(3) That the General Purposes Committee recommends to the Council that it adopts the form and guidance on declaration of pecuniary interests set out in appendices 3 and 4 as amended by the recommendations of the Standards Committee;

(4) That the General Purposes Committee recommends to the Council that it adopts the complaints and hearings procedures set out in appendices 5 and 6 as amended to take into account the comments of the Standards Committee;

(5) That the General Purposes Committee recommends to the Council that it appoints 3 non-voting co-opted members to the new Standards Committee and that it invites the two most recently appointed co-opted members of the previous Standards Committee to take up two of those appointments;

12 WORK PROGRAMME (Agenda item 12)

Item 6 from this agenda to be added to 27 September 2012

Business continuity and emergency planning 27 September 2012

Update on iTrent 27 September 2012

Noted