

ANNUAL GOVERNANCE STATEMENT 2011/12

1. SCOPE OF RESPONSIBILITY

Bath & North East Somerset Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way its services are delivered in terms of economy, efficiency and effectiveness in order to demonstrate 'Best Value'.

In meeting its responsibilities, the Council must ensure that there is a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk. The Council's system of internal control is designed to manage risk to a reasonable level rather than eliminate the risk of failure to achieve organisational objectives. Therefore the Annual Governance Statement only provides reasonable assurance around effectiveness.

The Council has adopted a Code of Corporate Governance, which is consistent with the principles and reflects the requirements of the CIPFA/SOLACE framework 'Delivering Good Governance in Local Government'. A copy of the Code is accessible through the Council's website at www.bathnes.gov.uk or can be obtained from the Head of Risk & Assurance, Guildhall, High Street, Bath BA1 5AW.

This Statement explains how the Council has complied with the Code and also meets the requirements of regulation 4 of the Accounts and Audit Regulations 2011 in relation to the publication of an Annual Governance Statement.

2. THE PURPOSE OF THE GOVERNANCE FRAMEWORK

Our definition of Corporate Governance is –

'Ensuring the organisation is doing the right things, in the right way, for the right people, in an open, honest, inclusive and timely manner'

This definition is underpinned by our internal values of Integrity, Making a Difference and Innovation. The purpose of the governance framework is to allow the Authority to -

- Focus on the outcomes for the area and its community and create a vision for the local area which it can play a leadership role in helping to implement;
- Engage with local people and its other stakeholders to ensure robust public accountability;
- Foster a leadership community that sees Members and Officers working together to achieve a common purpose with clearly defined roles and responsibilities;
- Promote values and behaviours for the Authority that will demonstrate how it will uphold good governance and high standards of conduct;
- Take informed and transparent decisions which manage risk and opportunity and are subject to effective scrutiny;
- Develop the capacity and capability of its Members and Officers to be effective and innovative

The governance framework has been in place at B&NES Council for the year ended 31 March 2012 and up to the date of approval of the Statement of Accounts.

3. THE GOVERNANCE FRAMEWORK

The key elements of the systems and processes that comprise the Council's governance framework are described below. Further details in relation to each element can be viewed through the Council's website <http://www.bathnes.gov.uk> or can be requested from the Council, e- mail: councilconnect@bathnes.gov.uk

a) **Sustainable Community Strategy** – The Sustainable Community Strategy 2009 – 2026 has been created by the Local Strategic Partnership (LSP) to provide a framework for the long-term economic, social and environmental wellbeing of the area as a whole. It contains six drivers for change: –

- Climate Change
- Demographic Change
- Growth
- Inequalities
- Locality
- The economy

The strategy provides a starting point for the Council and its partners in building a better place to live and work and a direction for the future. It will be regularly reviewed to ensure it is up to date by reflecting what is currently happening in the area.

b) **Corporate Plan (Vision & Values and Corporate Objectives)** – The Corporate Plan represented the Council's high level strategic plan and encapsulated the activity required to contribute to the achievement of the Sustainable Community Strategy. Following the change of Council administration in 2011 the Council's Vision & Values were refreshed. On the 10th May 2012 Council resolved to: 1) agree the refresh of the Council's Vision; 2) replace the Council's previous eight priorities with three objectives that describe what it is trying to achieve and enable it to focus resources; and 3) update the Council's values to reflect how the Council will operate and the kind of organisation it will be.

The same direction of travel is maintained, but with a change of emphasis that puts people first and communities at the heart of everything.

The Vision is:

- Where everyone fulfils their potential;
- With lively, active communities;
- Unique places with beautiful surroundings.

To deliver this Vision the Council are focusing on three key objectives:

- 1) Promoting independence and positive lives for everyone.
- 2) Creating neighbourhoods where people are proud to live.
- 3) Building a stronger economy.

Each of these objectives has a number of outcomes that will be delivered through Service Plans.

c) **Council Constitution** – The Council Constitution sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Each agenda for a Council or business meeting contains an item requiring members at the outset of the meeting to declare any relevant interests. The agendas and minutes of all the public meetings of the Council and its Committees are available on our website.

d) Council Structure – The Council operates under a Leader and Cabinet structure with Cabinet Members responsible for individual portfolios. At the full Council meeting held on the 19th May 2011 the following cabinet portfolios and responsibilities were agreed :-

- Leader of the Council
- Community Resources
- Wellbeing
- Early Years Children & Youth
- Homes & Planning
- Sustainable Development
- Neighbourhoods
- Transport

The Cabinet can only make decisions which are in line with the Council's overall Policy and Budget Framework. If it wishes to make a decision which is contrary to the Policy and Budget Framework, it must be referred to the full Council to decide. The Cabinet collectively make recommendations to the Council about the policy framework and take decisions that ensure services are provided within the framework. Full Council will decide whether to allocate decision making responsibilities to individual members of the Cabinet. If the Council decides to allocate these powers, it will also determine the scope of those powers and the range of service responsibilities allocated to each Cabinet Member. For most "key" decisions made by the Cabinet, by Cabinet Members or by Officers, the Council is required to publish in advance information about:

- (a) the matter to be decided;
- (b) who will be making the decision, and
- (c) the date or timescale for the decision and the place where the decision will be made.

Most day to day service decisions are taken by Council Officers. The Council appoints committees with power to carry out non-executive and other functions (e.g. planning and licensing where there is a statutory requirement for the Council to maintain committees). Non-executive functions are those which the Cabinet does not have the power to carry out.

e) Policy Development & Scrutiny – From May 2011 the Council changed its Overview & Scrutiny Panel arrangements replacing the 5 existing panels with 7 Policy Development and Scrutiny Panels.

- Early Years, Children and Youth Policy Development and Scrutiny Panel
- Economic and Community Development Policy Development and Scrutiny Panel
- Housing and Major Projects Policy Development and Scrutiny Panel
- Joint Health Scrutiny Committee
- Planning, Transport and Environment Policy Development and Scrutiny Panel
- Resources Policy Development and Scrutiny Panel
- Wellbeing Policy Development and Scrutiny Panel

The Panels monitor the activity of the Cabinet and also assist them in developing policy.

A further Joint Scrutiny Panel was established to monitor the West of England Partnership:

- West of England Joint Scrutiny Panel

- f) **Standards Committee** – The Standards Committee is made up of three Councillors, three independent people and three Parish Councillors. The roles and responsibilities of the Committee include:
- Promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent representatives on school governing bodies.
 - Assisting the councillors, co-opted members and church and parent representatives on school governing bodies to observe the Members' Code of Conduct;
 - To recommend to the Council one or more Codes of Conduct and Practice or protocols for members and/or employees of the Council.

To deal with Parish issues a Sub-Committee has been appointed.

The Localism Act 2011 repealed the Standards Committee Regulations 2008. As a result a report was submitted to the 10th May 2012 Council meeting and it was resolved that:

- Standards Committee Terms of Reference be revised.
- membership be revised to: five Councillors; three independent members (non-voting) and three Parish Councillors (non-voting).
- the Council consider at a future meeting a further report on the contents of and adoption of a Local Code of Conduct, once the necessary Regulations have been issued by Government.

- g) **Corporate Audit Committee** – The Corporate Audit Committee is made up of seven Councillors and one independent member. The Council has delegated to this Committee responsibilities including:
- To approve on behalf of the Council its Annual Accounts, as prepared in accordance with the statutory requirements and guidance.
 - To approve the External Auditors' Audit Plan and to monitor its delivery and effectiveness during the year.
 - To approve the Internal Audit Plan within the budget agreed by the Council and to monitor its delivery and effectiveness (including the implementation of audit recommendations).
 - To consider, prior to signature by the Leader of the Council and Chief Executive, the Annual Governance Statement.
 - To review periodically the Council's risk management arrangements, make recommendations and monitor progress on improvements.
 - To review periodically the Council's key financial governance procedures.
 - To monitor and promote good corporate governance within the Council and in its dealings with partner bodies and contractors, including review of the Council's Code of Corporate Governance.
 - To consider the Annual Audit & Inspection Letter from the External Auditor

- h) **Head of Paid Service** – The Chief Executive is designated Head of Paid Service and has overall corporate management and operational responsibility (including overall management responsibility for and authority over all officers). He provides professional advice to all parties in the decision making process; and, together with the Monitoring Officer, is responsible for the system of record keeping for all Council's decisions. He represents the Council on partnership and external bodies as required by statute or by the Council.

At the September 2011 Council meeting it was agreed that the post of Chief Executive / Head of Paid Service be retained and that necessary steps be taken to appoint a

successor to the current Chief Executive. At the 28th March 2012 Council meeting it was agreed to appoint Dr Jo Farrar with effect from 1st August 2012.

- i) **Monitoring Officer** – The Council Solicitor is designated as Monitoring Officer with responsibility for ensuring compliance with established policies, procedures, laws and regulations, and reporting any actual or potential breaches of the law or maladministration to the full Council and/or to the Cabinet.
- j) **Chief Finance Officer** – The Divisional Director Finance is designated as Chief Finance Officer in accordance with Section 151 of the Local Government Act 1972.

In March 2010 CIPFA / SOLACE issued an application note on the CIPFA Statement on the role of the Chief Financial Officer in Local Government. This required the Chief Finance Officer (S151 Officer) to:

- 1) be a key member of the Leadership Team, helping it to develop and implement strategy and to resource and deliver the authority's strategic objectives sustainably and in the public interest;
- 2) be actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and alignment with the authority's financial strategy; and
- 3) lead the promotion and delivery by the whole authority of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

To deliver these responsibilities the Chief Financial Officer must:

- a) lead and direct a finance function that is resourced to be fit for purpose; and
- b) be professionally qualified and suitably experienced.

The transfer of Section 151 responsibilities from the Director of Resources & Support Services was agreed by Council in May 2010 to enable him to concentrate on the main strategic roles of supporting the Strategic Directors Group, leading strategic resource allocation, and providing the necessary support to Services in his Directorate. It was recorded that the breadth of the Director of Resources role had the potential to limit the attention able to be afforded to the S151 role.

Council was assured that the Divisional Director Finance would have direct access to the Chief Executive and be free to attend meetings of SDG. At such meetings and elsewhere the Council's Constitution afforded the highest status to the S151 officer. The Director of Resources would also continue to take an overview and support the DD Finance especially in relation to strategic resource allocation.

The S151 Officer has responsibility for establishing sound financial management within the Council and ensuring adherence to the Council's own financial standards and rules including the Budget Management Scheme (November 2007), Financial Regulations (May 2002) and Contract Standing Orders (November 2007). The Council has put in place a Financial Plan to support the aims of the Corporate Plan and a system of regular reporting of its financial position and performance during the year.

- k) **Code of Corporate Governance** – In May 2008 the Council approved a 'local' Code of Corporate Governance. The 'local' Code sets out the Council's definition of corporate governance, the Values it stands for and the Key Principles of Corporate Governance that it has adopted.

l) **Anti Fraud and Corruption Arrangements** – The Council has an Anti-Fraud and Corruption Policy that demonstrates its commitment to tackling fraud and corruption whether within or external to the Council. It details:

- The key principles of the policy;
- The roles and responsibilities of Members and Officers;
- Investigation procedures to be followed in a suspected case of fraud.

The Council's Whistleblowing Policy is a component of the Anti Fraud & Corruption Policy.

m) **Corporate Complaints System** – The Council has a Corporate Complaints Policy and Procedure which describes how complaints can be made and how the Council will monitor complaints and use that information to improve services and identify training needs. The Council has adopted a two stage approach to ensure that if the complainant is dissatisfied with the Stage 1 response they can have the complaint investigation reviewed again. This review is carried out internally by officers independent of the service area to which the complaint was received. If the complainant is still dissatisfied they can request that their complaint is examined by the Local Government Ombudsman.

n) **Stakeholder Communication** – The Council has an established Communications Strategy to engage with citizens and the Community. Four main methods are used to communicate the Council's objectives and achievements to citizens and service users:

- **'Your Local Council Spending & Council Tax Guide'** including an A-Z of Council Services is sent to all Bath & North East Somerset Council households. As well as providing statutory information relating to the Council Tax and budget setting process it provides full detail of the Council's Vision & Priorities and a review of progress in achieving them.
- **The Council Website**, which is updated daily, and provides information about the Council & online access to services;
- **The 'Inform' newsletter**, which is sent weekly via email to all subscribers providing detailed news stories;
- **'Connect Magazine'** is produced quarterly and sent to all households within Bath & North East Somerset.

The Council also undertakes consultation exercises with stakeholders, through either one off consultations on specific subjects, or through the Voicebox satisfaction survey.

o) **Partnership Governance** – Partnerships are a key component for service provision. The Council's key partnerships are:-

- **The Local Strategic Partnership (LSP)** - It is made up of public services such as the Council, the Avon & Somerset Police, the NHS Bath and North East Somerset and Somer Housing Group - as well as voluntary, community, and business sector representatives. The prime function of local strategic partnerships is to produce a "community strategy", a plan for working together to improve the quality of life in local communities. The partnership has clearly documented governance arrangements that are available from the LSP website.

- **Sirona – Social Care & Health Services**

In October 2011, the Council transferred its health and social care services to a Community Interest Company (CIC), Sirona Care & Health CIC. Sirona is an independent non-profit distributing organisation providing publicly-funded health and social care services. Sirona is responsible for the delivery of the community healthcare and adult social care services previously provided by Bath and North East Somerset PCT and Council respectively. A Council Member is a Non-Executive Director of Sirona and in addition the Council has four of the twenty Company Members.

This is a significant change to the way social services are delivered. Under the Community Care Act 1990 (Section 47) the Council is not able to delegate some decision making powers relating to the assessment of need and support plans. To enable the effective delivery of these functions legal advice was taken and a Secondment Agreement process was completed to allow Sirona staff to undertake Council roles / responsibilities.

- **West of England Local Enterprise Partnership** – The Local Enterprise Partnership (LEP) builds on the existing 'West of England Partnership' of the four local unitary councils and businesses in the sub-region.

The key actions of the LEP Business Plan 2011-2013 are:

1. Improving Transport Infrastructure
2. Tackling Skill mismatches and/or gaps in the workforce
3. Putting the West of England on the map: Inward Investment
4. Create a clear case for investment from the LEP to national government
5. Growing the green economy
6. Creating a successful Enterprise Zone/Enterprise Areas

- p) **Performance Management** - Performance is managed through the Council's Performance Management Framework. The approach adopted is based on the Balanced Scorecard, with Directorates, Services and Teams each having their own Scorecard. The Chief Executive with support from the Council's Section 151 Officer and the Strategic Performance Manager has quarterly 1:1 meetings with Directors to discuss Performance Management. A Comprehensive Performance Pack is produced each quarter for review by Strategic Directors Group, Divisional Directors Group, and Cabinet. A 'Dashboard' report has been compiled to simplify reporting.
- q) **Risk & Opportunity Management** - The Council Risk Management Strategy was reviewed during the year and was approved in April 2011. The Cabinet and Strategic Directors Group maintain a Corporate Risk Register which defines and assesses risks to Council's objectives and records actions to manage these risks. The risks and actions are monitored on a quarterly basis. Strategic and Divisional Directors review Service risk management processes quarterly e.g. the maintenance of Service / Team risk registers. The Corporate Audit Committee monitors the risk management plan periodically.
- r) **Internal Audit** - Internal Audit operates to the standards set out in the Chartered Institute of Public Finance Accountant's 'Code of Practice for Internal Audit in Local Government'. The Council's appointed External Auditor will then assess Internal Audit against this code and its most recent assessment is that Internal Audit satisfies all elements of this code. The Head of Risk & Assurance reports annually to the Corporate Audit Committee on the performance of the Internal Audit function.
- s) **External Inspectorates** - The Council maintains an objective and professional relationship with external auditors and statutory inspectors to seek assurance that the Council is providing efficient, effective and economic services and are proactive in securing continuous improvement in the way its functions are exercised.

4. REVIEW OF EFFECTIVENESS

The Council has responsibility for conducting an annual review of the effectiveness of its governance framework including the system of internal control. In accordance with best practice, the Council has adopted a methodology (Process & Assurance Framework) to formally review the governance framework for the purposes of this Statement. The components are as follows:

Management Assurance -

- A review of compliance with the adopted Local Code of Corporate Governance.
- A review of the implementation of the Risk Management Strategy
- A review of Internal Audit Report findings and recommendations.
- A review of fraud and special investigations completed during the year by Internal Audit.
- Meetings with 'Key' Corporate Officers to specific areas including: Performance; Finance; Communications; Legal; Information Governance; Human Resources; Health & Safety; Equalities; Sustainability; Corporate Complaints and Internal Audit. The objective of these meetings was to identify issues for further discussion with Divisional Directors.

Statutory Officer Assurance

- Meeting with the Council's Statutory Officers (Head of Paid Service, Monitoring Officer and Chief Financial Officer) to discuss their roles and responsibilities and issues identified during the year.

Service Assurance -

- Meetings with Divisional Directors to capture their input using a standard Service Assurance Questionnaire.
- The questionnaires covered the Service Governance Framework Components: Governance, Service Planning, Financial Management, Risk Management, Information Governance, Internal Control, Procurement, Project Management, Partnerships, Human Resource Management; Health & Safety, Corporate Equality; Environmental Sustainability & Climate Change and Public Interest.

Performance Management -

- A review of performance management reporting
- A review of financial management reporting

External Review Assurance -

- An examination of external inspection reports.
- An examination of external audit reports
- A review of complaints to the Local Government Ombudsman.

Other Sources -

- An examination of the work of the Corporate Audit Committee.
- An examination of Standards Committee and Policy Development & Scrutiny Panels minutes
- A review of the adequacy of the complaints procedure including monitoring and reporting outcomes.
- A review of Strategic Director meetings reports / minutes.

5. PRODUCTION OF THE ANNUAL GOVERNANCE STATEMENT

The publication of the Annual Governance Statement represents the end result of the review of the effectiveness of the governance framework. Corporate involvement in the production of the Statement included:

- **Divisional Directors** – Divisional Directors were interviewed as part of the review process to assist obtaining corporate involvement.
- **Statutory Officers** – The S151 Officer and Monitoring Officer were consulted during March / April 2012 on the process and their roles and responsibilities.
- **Corporate Audit Committee** – The Committee were informed of the Annual Governance Review on 6th February 2012 and consulted on the Long List of Issues on the 15th May 2012.
- **Strategic Directors** – The Annual Governance Review and the 'List of Issues' were considered by Strategic Directors during June 2012.
- **Leader of the Council & Chief Executive** – The Annual Governance Statement 2011-12 was signed by the Leader of the Council and the Chief Executive.

6. UPDATE ON SIGNIFICANT GOVERNANCE ISSUES 2010/11

The following issues were identified on last years Annual Governance Statement:

No.	Issue	Action Plan	Update
1.	<p><u>PUBLIC SECTOR FUNDING</u></p> <p>The government's policy to reduce the national debt has led to significant cuts in public spending during 2011/12 and future years.</p> <p>This has resulted in B&NES Council having to manage additional in-year reductions of £1.8M in both revenue and capital expenditure.</p> <p>Whilst the required savings have been successfully achieved, these did include a reduction in staff, which in itself incurs costs and impacts on the ability of the Council to provide efficient and effective services.</p>	<p>1. SDG & Cabinet should continue to ensure there are robust budget setting and budget monitoring processes to minimise the impact on delivery of service.</p> <p>2. SDG & Cabinet should continue to monitor and review Financial Planning targets and linked to this complete an Annual Review of the Medium Term Financial Plan. The review process will result in preparation of a Summarised Plan for Overview & Scrutiny (November 2011) and finalise the Plan for Council (February 2012).</p> <p>3. SDG & Cabinet to continue to monitor the impact of the staff losses and related capacity issues through the Council's Performance and Risk Management processes.</p>	<p>The medium term service and resource plans along with individual service action plans have been reported to the relevant Development and Scrutiny panels and the budget report for 2012/13 was submitted to 14th February Council Meeting.</p> <p>Performance regarding the budget & staffing implications for 2011/12 was subject to regular (monthly) scrutiny by SDG & Cabinet.</p> <p>Corporate Risks are subject to on-going review by SDG and Cabinet and the risk around financial challenge and resource capacity continues to rank as one of the organisations highest risks.</p> <p>Actions in relation to that risk as detailed above are on track.</p>

No.	Issue	Action Plan	Update
2.	<p><u>PLANNING</u></p> <p>During the year the Council lost a judicial review of action taken by the Council's Planning Service.</p> <p>This was related to a planning enforcement case.</p> <p>The findings of the Court resulted in costs of £95,000 being awarded against the Council.</p> <p>In addition the Council had to incur the costs of defending the claim of £65,429.85.</p>	<ol style="list-style-type: none"> 1. The Divisional Director – Planning & Transportation to undertake a detailed review of policies and procedures based on the Court findings and implement any necessary changes. 2. Strategic Director – Service Delivery to review progress 	<p>Risk & related action plan being monitored through the Planning and Transportation Service Risk Register – risk that the Council does not take sufficient action following the outcome of legal challenge and Judicial Review.</p> <p>Actions recorded against this risk include:</p> <ol style="list-style-type: none"> 1) Submission of a Development & Control Paper 2) Appointment of leading QC 3) Commence high level engagement with the planning applicant. <p>Current Status of actions as at Qtr 4 2011/12 – 'Complete' or 'On-Target'.</p>

7. SIGNIFICANT GOVERNANCE ISSUES 2011/2012

The following issues have been identified for action by 31st March 2013:

No.	Issue	Actions
1.	<p><u>Care Quality Commission / Ofsted Report</u></p> <p>In February 2012 the Care Quality Commission /Ofsted published its inspection report on Bath & North East Somerset relating to 'Safeguarding and Looked After Children Services'. The purpose of the inspection was to evaluate the contribution made by relevant services in the local area towards ensuring that children and young people are properly safeguarded and to determine the quality of service provision for looked after children and care leavers.</p> <p>For Safeguarding Services the overall effectiveness and capacity for improvement of the service was graded as Grade 3 "Adequate" (A service that meets minimum requirements).</p> <p>For Looked After Services the overall effectiveness and capacity for improvement of the service was graded as Grade 2 "Good" ("A service that exceeds minimum requirements").</p> <p>The key findings were:-</p> <ul style="list-style-type: none"> • The Council through the LSCB needs to hold partners (in particular Health) to account for safeguarding arrangements. • Further improvements in performance management are required in particular to ensure core assessments are properly completed • The need to ensure improvements from remodelling services can be demonstrated. • The need to ensure that Health Partners comply with statutory guidance. <p>Improvement Plans related to the report findings / recommendations were compiled in response to the report findings.</p>	<ol style="list-style-type: none"> 1) The People and Communities Department Improvement Plan will continue to be monitored by an Improvement Group on a monthly basis. 2) The Primary Care Trust Health Improvement Plan is to be monitored monthly. 3) Progress reports will be submitted to the Local Safeguarding Children's Board. 4) The People & Communities Improvement Plan will be regularly reported to the Early Years, Children and Youth Policy Development and Scrutiny Panel.

No.	Issue	Actions
2.	<p>Parking Services & Bus Lane Enforcement</p> <p>Parking Services has recorded a financial shortfall of £1.674m in 2011/12. This is largely as a result of an over optimistic increase in the income budget by £1.0m, (a 70:30 split between Bus Gate Enforcement & Parking). In addition, there has been a trading deficit of £400,000 and £300,000 in respect of Off Street & On-Street parking accounts respectively.</p> <p>The Bus Gate/Lane Enforcement income shortfall against the 2011/12 budget target resulted from the problems encountered in taking enforcement action.</p> <p>In 2010/11 an Automatic Number Plate Recognition System was installed to improve the efficiency of enforcement action. This new system was very successful and based on income collection figures the income budget target for following year 2011/12 was increased - based on the improved capture rate of contraventions.</p> <p>However, during 2011/12, there were a number of successful appeals to the Traffic Penalty Tribunal. This resulted in the Tribunal's Chief Adjudicator making an inspection visit of the High Street and New Bond Street Bus Lanes. The Traffic Penalty Tribunal view was that modification to the road layout was necessary. A revised layout and restrictions were therefore implemented and as a result enforcement cameras were switched off for a period with a consequent impact on revenue.</p>	<ol style="list-style-type: none"> 1) Carry out modifications to road layout at High Street / New Bond Street (Bath) and resume enforcement action. (Action completed) 2) A detailed action plan will be prepared following the 26th July 2012 meeting of the Parking Services Board. 3) The Parking Services Board action plan will be monitored at each quarterly meeting of the Board.

No.	Issue	Actions
3.	<p>Planning During 2011/12, there have been a number of planning application cases that have resulted in significant public interest and costs being incurred by the Council.</p> <p>Stowey Quarry On 7th July 2011 the Council granted planning permission for 'restoration of Stowey Quarry by landfilling of Stable Non-Reactive Hazardous Waste (SNRH) and inert wastes'. The planning permission was subsequently quashed by consent in the High Court because the Council accepted that there had been an error in the consultation process. The Council also paid the claimant's legal costs in the sum of £12,250.</p> <p><u>Development Control Committee Decision Making & Planning Inspectorate Findings</u> During 2011/12, the Planning Inspectorate overturned 2 planning application decisions taken by the Council's Development Control Committee. The Committee did not agree with Council Officer advice and had refused planning permission.</p> <p>The Council Officer recommendation was to approve the applications for the development of land in Keynsham (owned by Taylor Wimpey) and construction of a new hotel at Number 4 James Street West.</p> <p>For the Keynsham development, the Council lost the appeal and the Inspector granted planning permission. The Inspector did not award the applicant their costs but the Council had to pay its own costs.</p> <p>In relation to the James Street West appeal, the costs that the Council will have to pay is currently being negotiated.</p>	<ol style="list-style-type: none"> 1) Review all extant planning applications accompanied by Environmental Impact Assessments to ensure the correct publication has taken place. (Action completed) 2) Provision of bespoke training by a specialist solicitor for technical support and planning officers. (Action completed) 3) Produce revised process notes including an additional check of publication prior to planning permissions being granted. (Action completed) 4) Officers to work with members to ensure that the implications of decisions are identified and any appeal risks are flagged. This will include making technical training courses available to address risks of appeal and how to mitigate against them. 5) Ensure that where appropriate the cost implications of potential appeals and grounds for appeal are flagged by officers at meetings. In exceptional circumstances, the Development Manager will consider referring the decision to a subsequent meeting to consider the full cost implications. 6) Appeal Cost awards will be included in the quarterly performance report to the Committee. 7) A Service Improvement Plan will be developed to enable more resources to be deployed effectively and efficiently.

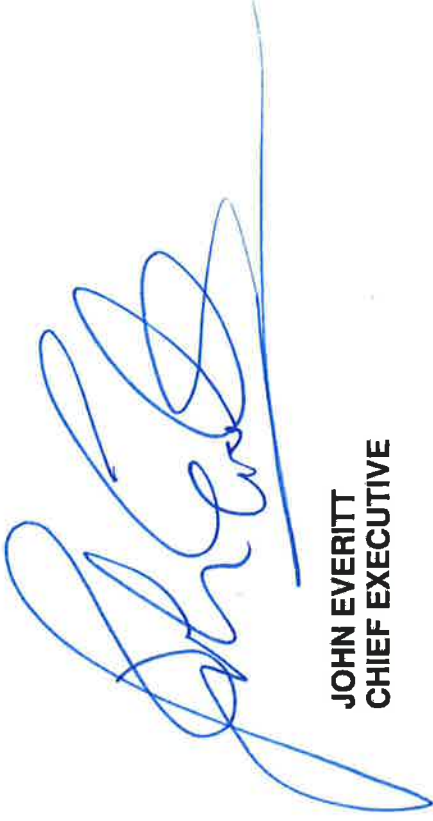
We propose over the next financial year (2012/13) to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of the next annual governance review.

SIGNED BY:



**PAUL CROSSLEY
LEADER OF THE COUNCIL**

DATE: 29th June 2012



**JOHN EVERITT
CHIEF EXECUTIVE**

