

BRECON BEACONS NATIONAL PARK AUTHORITY

Minutes of the **AUDIT AND SCRUTINY COMMITTEE** held on Friday 2nd May 2014 at Plas Y Ffynnon, Cambrian Way, Brecon

Present

Prof A Lovell (Chairman)
Cllr C Davies
Cllr A Furzer
Cllr D Meredith
Cllr R Thomas
Cllr Mrs J Ward
Mr E Evans
Mr I Rowat

In Attendance: Mr J Cook (Chief Executive), Mr J Parsons (Deputy Monitoring Officer), Mrs E Standen (Finance Manager), Mr P Funnell (IT and Systems Manager), Mrs J Gruffydd (Democratic Services Manager) and officers presenting reports.

31/14 CORRESPONDENCE

Apologies were received from Cllr Mrs A Webb, Mr J Atkins (Director of Countryside and Land Management) and Mr C Morgan (Director of Planning).

The Chairman welcomed Katherine Rankin from the Authority's internal auditors, Deloitte.

32/14 DECLARATIONS OF INTEREST

No declarations of interest were received.

33/14 MINUTES

A member referred to a matter he had raised about personal use of fleet vehicles under Other Business at the last meeting which was not recorded in the minutes. He was disappointed that a report had not been brought to this meeting as requested. The Chief Executive apologized for this omission and said that he had raised the issue with the Director of Countryside and Land Management and that the Finance Manager had issued advice to staff. The minutes would be duly amended.

RESOLVED: *That subject to the agreed insertion regarding Other Business, the minutes of the Audit and Scrutiny Committee held on 7th March 2014 as amended be approved and the Chairman authorized to sign them as a true record.*

33/14.1 DECISIONS AND ACTION POINTS FROM PREVIOUS MEETINGS

The Chairman welcomed the reduction in incomplete action points. The Chief Executive responded to a request for updates on the Local Nature Reserve in Talybont which members noted was in the hands of the Land Registry, and the transfer of the lease at

Danywenallt, which was with Dwr Cymru/Welsh Water's solicitors. With regard to the Local List he advised that due to sickness absence in the team this has been delayed but temporary resource has now been allocated and this work would be progressed as soon as possible. A member referred to the Visitor Management Plan and asked whether he could raise this with the farming unions at the next Agricultural Stakeholders meeting. The Chief Executive confirmed that this would be during the consultation period and entirely appropriate.

34/14.2 EQUALITY IMPACT ASSESSMENTS

Equality Impact Assessments completed for decision reports were noted.

35/14 PUBLIC SPEAKING

No requests to speak had been received.

36/14 BUDGET MONITORING

Members received a budget update from the Finance Manager who advised that she was not yet in a position to give the year end figures, but it was possible that there might be a small underspend once all the budget adjustments had been made. It was also hoped that less might need to be taken from Reserves than anticipated in her report to members in January. The Chairman asked the officer to circulate an update by the end of May, as she had offered to do.

RESOLVED: That Members note the report.

37/14 INTERNAL AUDIT REPORTS

Members received the concluded internal audit report for 2013/14 on Financial Systems and welcomed the substantial assurance on all reports. Ms Rankin also presented the summary report for the year which was used to evidence assurance of internal controls, and the three year audit plan which was now in its final year. Asked about the rationale for marking these reports 'confidential' when they were clearly in the public domain she responded that these reports were for the Authority to publish as they saw fit but she agreed to look at this premise and report back.

Regarding fixed assets it was confirmed that while individual budget holders were responsible for maintaining inventories, it was hoped to cross reference these to land and buildings assets to provide a comprehensive asset register. The Chief Executive confirmed that checks on existing equipment, while not always carried out in the past, were now standard in order to avoid unnecessary purchases. The Authority also aimed to auction, recycle or donate unwanted items.

Asked about the possible need to monitor cash flow in European grant aided projects the Chief Executive confirmed that this was already monitored closely by the Finance team and that the Authority had just received two very good audit reports on the EU-funded projects.

Asked about the link between the Risk Register and the internal audit plan, Ms Rankin confirmed that the plan was based on a detailed assessment of risk when the original three-year audit plan was prepared, but that they were also required to look at a range of internal controls, which they had done for each annual audit programme. This final year would allow focus on other areas.

The Chairman asked Ms Rankin about the 'sentiment analysis tools' referred to in her report and was advised that this was one of the tools used to add value to reports by ascertaining public attitude to the organization.

The Chairman congratulated the Finance Manager and her team on the reports and thanked Ms Rankin for attending for this item.

RESOLVED: That Members:

- a) Note the Internal Audit Report on Financial Systems and the agreed management actions contained in the report;**
- b) Note the Internal Audit Report for 2013/14;**
- c) Consider and approve the draft Internal Audit Plan 2014/15.**

38/14 SCRUTINY ARCHAEOLOGY REPORT

The lead member of the Scrutiny Panel, Mr I Rowat, presented the panel's report into the effectiveness of the Authority in conserving and enhancing the Park's archaeological heritage. He paid tribute to the energy and enthusiasm of the external members of the panel and highlighted the process carried out to gather evidence. The recommendations, once considered by the Authority, would be used to draw up an action plan with an appropriate timescale for each recommendation, and this committee would then monitor their implementation.

Members welcomed the excellent report and recommendations and suggested that an executive summary and conclusion would complete the report process, as well as prioritizing the recommendations on the action plan. A member asked about the resource implications of the recommendations or the knock on effect on other areas of work. It was noted that some of the recommendations made would impact on other workstreams but that by including these in the new National Park Management Plan this would ensure a mutually supportive and inclusive approach to the work with more focused resource allocation. In this respect it had been helpful to have the Park Plan Officer on the Panel. The Chief Executive referred to the excellent presentations which the Heritage Officer (Archaeology) had made to staff and stated that there was a role for other officers with the capability to deliver the heritage role.

The Chairman asked about the strong ethos of partnership working in the National Park Authorities interviewed, particularly in raising additional funding, but this did not feature in the recommendations. Mr Rowat responded that it was partly symptomatic of the relationship which the Parks had with the respective heritage organizations, but that one of the recommendations urged the consideration of heritage work in the Research Prospectus in future.

RESOLVED: That the following recommendations of the Scrutiny Panel be endorsed for approval at the National Park Authority meeting on 9 May 2014:

- 1. Work towards a complete library of publicised material to be available. To ensure that any support given by BBNPA for studies such as university dissertations carries a caveat to include a copy of published paper to be lodged in the library of the BBNPA.**
- 2. Use this report to stimulate the signing of Memoranda of Understanding for effective partnership working and data exchange with DAT, GGAT and Cadw.**
- 3. Warden Manager to work with the Heritage Officer for Archaeology to continue to oversee the wardens to ensure their practical techniques and understanding of archaeological sites within the National Park are kept up to date.**
- 4. That a clear process be established to involve the Heritage Officer in identifying work programmes in relation to heritage sites, that appropriate methodologies are used - and for reporting on work completed.**
- 5. The line manager needs to be sure that work streams are clearly focussed without denting the enthusiasm of the post holder and that partners are signed up to deliver certain aspects of the Archaeology in the Park area.**
- 6. When other staff in the BBNPA are applying for grants there should be a scoping exercise to ensure that less represented areas of work could benefit from the grant.**
- 7. That the Heritage Officer for Archaeology runs a training day for relevant NPA staff and members.**
- 8. That consideration be given to recommending the inclusion of heritage research in future discussion on the BBNPA research prospectus.**
- 9. Building on the good work in setting up the Young Archaeologist Club work with organisations such as the U3A and history societies to train volunteers to help with recording and monitoring the SAMs.**

- 10. There is a need to clarify roles and responsibilities of all those with an interest in archaeology in order to encourage joint working to conserve and enhance the Park's archaeological heritage.**

39/14 AUDIT AND SCRUTINY COMMITTEE: CHANGES TO THE TERMS OF REFERENCE

Members considered further amendments to the terms of reference of the Audit and Scrutiny Committee arising out of the Review of Effectiveness of the committee and subsequent discussions with members and the Corporate Management Team. The Democratic Services Manager drew attention to an issue on which she would welcome members' views, namely whether Chairs and Deputies of committees or working groups should make presentations to the committee or the full Authority.

The Chairman advised that his rationale for this was to ensure that somewhere in the Authority was a remit to review the effectiveness of the committee structure. While this was currently being done informally, with recommendations to be made to the Authority on 9 May 2014, there needed to be a sound process agreed by members. There was agreement with this and in addition a member proposed that it be recommended to the Authority that this committee was given powers to request that any Chair or Deputy of the Authority or its committees be called to account by the committee. The Monitoring Officer advised that the committee could already request attendance and take note of any decision not to attend and provide information, although that information might already be in the possession of the Authority. While it would not be a breach of the Code of Conduct not to appear, this might have an impact on their role in future. This would need to be reflected in the role description for Chairs and Deputies. The Chief Executive asked members to bear in mind that whilst it was of course for them to decide if they wished to request such powers for the committee, the governance of the Authority was different from local authorities that this was the only committee which did not comprise all members and in all other committees Members effectively held themselves to account. He also noted that in the six years that he had been at the Authority there had been no identified need to invite a committee Chair to attend a meeting of this committee. It was noted that working groups, if set up by the Authority, were accountable to the Authority for the work they were delegated to carry out.

The Democratic Services Manager advised that the current Corporate Governance Working Group had a remit for reviewing the performance of committees and this was retained in the terms of reference for a new merged working group to be considered by the Authority on 9 May. She asked for clarification as to whether the proposed annual presentations by Chairs of committees should be made to this committee or the Authority and members felt it appropriate that these be made to all members at a full Authority meeting prior to the Annual General Meeting each year. The Monitoring Officer confirmed the role of the Corporate Governance Working Group and advised that members were in danger of making the process over complicated but also of duplicating existing roles and processes.

RESOLVED: To recommend the terms of reference of the **Audit and Scrutiny Committee to the National Park Authority on 9 May 2014** subject to the following amendments:

- a) **The removal of the final paragraph in respect of the committee receiving presentations from Chairmen of committees;**
- b) **To insert the following paragraph into the terms of reference: “The Committee has the power to request attendance by any Chair or Deputy Chair of the Authority, its committees or working groups in order to answer questions or provide information in respect of their roles and accountabilities”;**
- c) **That the Authority be recommended to request an annual presentation from the Chairs of the Authority and its committees, to be scheduled at a full Authority meeting prior to the Annual General Meeting each year;**
- d) **That if recommendations b) and c) above be approved, the Authority be recommended to approve changes to the role descriptions of Chairs and Deputies to reflect these requirements.**

40/14 PERFORMANCE EXCEPTIONS

The IT and Systems Manager presented a summary of performance exceptions. The Chairman complimented the Education and Democratic Services teams for their work.

RESOLVED: That members note the report

41/14 ANNUAL HEALTH AND SAFETY PERFORMANCE REPORT

The HR Manager presented the annual report and updated members on a number of actions recommended by the Authority’s health and safety advisors. In response to a question he outlined the process for assessing the safety of trees at Craig-y-nos Country Park. A member asked for the process to be looked at in more detail and offered to help with this.

The officer also provided additional information on cleaning products and their storage. He confirmed that items such as creosote were the wardens’ responsibility and were stored appropriately. He confirmed that staff were not required to handle asbestos, simply trained to identify its presence. Asked about the timescale for the relocation of the warden depot, the Chief Executive acknowledged that this had been delayed but it hoped to make the move by the Autumn.

With reference to the need to review all risk assessment documents, the Chief Executive confirmed that these were all in place and would be reviewed, but the timescale would need a pragmatic approach to avoid an impact on wardens’ work programmes.

The Monitoring Officer advised that the Authority, as employer, had statutory duties and responsibilities under health and safety to advise staff of any potential risks in the event of

any legal claim. The Chief Executive confirmed that the Corporate Management Team took the recommendations of Thomas Carroll very seriously.

RESOLVED: To note the contents of the Annual and Performance reviews and the Action Plan contained within.

42/14 ENFORCEMENT PERFORMANCE REPORT

Members received an update on enforcement performance and noted the slight dip in performance, although this was now anticipated to rise following the recruitment of a replacement Enforcement Officer. The Authority was in a position to provide a better service, looking at prosecutions, which would not impact on dealing with live cases. The Chairman congratulated the team on their achievements and reminded the officer that targets could not only be met, but exceeded.

The Chief Executive suggested that now that performance had improved the committee might agree to exception reporting in future, with full reports on performance continuing to be made to the Planning, Access and Rights of Way Committee. This was agreed.

RESOLVED: Members are asked to note the Enforcement performance figures

43/14 CONSERVATION SECTION ACTION PLAN SIX MONTHLY UPDATE FOR 2013/14

Members considered a report from the Conservation Manager on work carried out in the last year and had the opportunity to ask questions. They particularly welcomed the progress made on working with the Black Mountains Graziers.

The fact that some of the land affected by the gas pipeline would never be fully restored was disappointing and the officer agreed that the Authority had been let down by both bodies involved.

RESOLVED: To note the report

44/14 MANAGEMENT PLAN ACTIONS – ‘ORPHANS’

The Park Plan Officer tabled a more detailed breakdown of the National Park Management Plan actions that had not had specific owners and which had not been progressed for whatever reason. The Corporate Management Team had made decisions on these. Members queried the process used for these decisions and the Chief Executive assured members that the recommendations by CMT did not demonstrate a lack of support for the area of work, simply that it required a resource that was not available, either staff or finance.

A member commented that it was difficult to marry the two documents before them and that there were no details of any consultation. The Chairman advised that rather than leaving these issues ignored, the CMT was making an honest decision to not carry out the actions identified.

RESOLVED: To note the decision of the Corporate Management Team regarding orphan actions in the current management plan.

Cllrs C Davies and D Meredith left the meeting.

45/14 RISK REGISTER REVIEW

The IT and Systems Manager presented an interim report on the Risk Register with recommendations to transfer a reduced risk to the live register. In response to a question from the Chairman on the degradation of biodiversity (Risk 08) the Chief Executive advised that the rationale for this was now primarily financial constraint.

A member commented that it was difficult for the committee to carry out its role in reviewing the register without seeing the detailed mitigating actions. The officer responded that this was an interim report and that a full report would be brought to the next meeting with all the mitigating actions reported. He suggested that if members wanted more detail he could bring an annual review of each risk with all the history. The member did not want to create additional work but was concerned to implement the role of the committee.

RESOLVED: To approve the recommendations from the Corporate Management Team in respect of Risk Register amendments.

Cllr A Furzer left the meeting.

46/14 EUROPEAN FUNDED PROJECTS – BUDGETARY CONTROL

The Sustainable Tourism Manager presented a report for information on how the Authority's European projects were managed in terms of budget. They had recently had a 100% compliance report which was due to the hard work of the Administrative Officer.

Members welcomed the report and were supportive of the Authority's work. In response to a question the officer confirmed that adjustments were made in the budget to address currency fluctuations.

RESOLVED: To note the report.

47/14 COMPLAINTS, COMPLIMENTS AND FREEDOM OF INFORMATION

Members received year end reports and noted the very helpful graphs which they wished to receive in future. The Chairman noted the large number of issues from relatively few sources, especially under Freedom of Information. The Chief Executive advised that the rationale for recommending the absorption of the role of the Complaints and Customer Feedback Panel into Audit and Scrutiny was that while much of the work could be done in

public, the committee had the option to go into exempt session if they wished to discuss the detail of any issues.

A member asked whether the most recent items on each report could be placed at the top of the tables and this was noted.

48/14 OTHER BUSINESS

There was no further business.

CHAIRMAN