

Notice of Meeting

Council

A meeting of the Test Valley Borough Council will be held on

Date: Wednesday 9 June 2021

Time: 5.30 pm

Venue: St Mary's Church, Church Close, Andover, SP10 1DP

The public can listen to a live stream here:

<http://www.audiominutes.com/p/player/player.html?userid=tvbc>

when your attendance is required to consider the business set out in the agenda.



Head of Legal and Democratic Services

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Legal and Democratic Service

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PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Council

Wednesday 9 June 2021

AGENDA

**The order of these items may change as a result of members
of the public wishing to speak**

- 1 Prayers**
- 2 Apologies**
- 3 Public Participation**
- 4 Declarations of Interest**
- 5 To approve the minutes of the meeting of the Council held on 7 April 2021 and Annual Council held on 19 May 2021**
- 6 Mayor's Announcements**
- 7 To receive and adopt Committee reports 4 - 24**

To receive and, where necessary, adopt reports of Committees.
- 8 Questions under Rule 11.1**
- 9 Questions under Rule 11.2**
- 10 Notice of Motion - Rule 12**
- 11 Overview and Scrutiny Chairman's Annual Report 25 - 29**

The Overview and Scrutiny Chairman will present the Committee's Annual report.

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|-----------|---|----------------|
| 12 | <u>Exclusion of the Public</u> | 30 |
| | The following items are confidential. | |
| 13 | <u>Proposed Property Purchase</u> | 31 - 39 |
| | To consider a proposed property purchase. | |
| 14 | <u>Contractual Matters</u> | 40 - 50 |
| | To consider contractual matters. | |

ITEM 7 To receive and, where necessary, adopt reports of Committees

(Some reports may involve the disclosure of exempt information. If the Council wishes to debate them, for each individual case the Council will need to adopt a suitable motion).

7.1 To receive the minutes of the following meetings:

- 7.1.1 Southern Area Planning Committee – 6 April 2021
- 7.1.2 Cabinet – 14 April 2021
- 7.1.3 Overview and Scrutiny Committee – 21 April 2021
- 7.1.4 Northern Area Planning Committee – 22 April 2021
- 7.1.5 Southern Area Planning Committee – 27 April 2021
- 7.1.6 Southern Area Planning Committee – 18 May 2021
- 7.1.7 Cabinet – 26 May 2021
- 7.1.8 Overview and Scrutiny Committee – 2 June 2021
- 7.1.9 Northern Area Planning Committee – 3 June 2021
- 7.1.10 Southern Area Planning Committee – 8 June 2021

(Note: in relation to 7.1.8, 7.1.9, and 7.1.10 these minutes are not included in the minute book and will be presented at the next Council meeting but members are able to ask questions on resolved items.)

7.2 To adopt recommendations from the following:

- 7.2.1 Cabinet – 26 May 2021
- 7.2.1.1 Annual Governance Statement 2020/21 (APPENDIX A)

Cabinet considered a report from the Finance Portfolio Holder which sought approval for the Annual Governance Statement, which accompanied the 2020/21 Statement of Accounts.

On the basis of Internal Audit work completed in 2020/21 only, the Temporary Chief Internal Auditor of Portsmouth City Council had provided a “substantial assurance” in respect of the Council’s risk management, control and governance arrangements.

Having considered the options and for the reasons set out in the report, Cabinet agreed to the following:

Recommended:

That the Annual Governance Statement for 2020/21 be approved and that the Leader and Chief Executive be authorised to sign it on behalf of the Council.

7.2.2 Overview and Scrutiny Committee – 2 June 2021

Recommendations to follow (if any)

7.2.3 Northern Area Planning Committee – 3 June 2021

Recommendations to follow (if any)

7.2.4 Southern Area Planning Committee – 8 June 2021

Recommendations to follow (if any)

Annual Governance Statement 2020/21

Report of the Finance Portfolio Holder

Recommended:

That the Annual Governance Statement for 2020/21 be approved and that the Leader and Chief Executive be authorised to sign it on behalf of the Council.

Recommendation to Council

SUMMARY:

- The purpose of this report is to seek approval for the Annual Governance Statement, which accompanies the 2020/21 Statement of Accounts.
- Best practice requires that the approval of this Statement is considered separately from the Statement of Accounts, although both are published together each year.

1 Introduction

- 1.1 Test Valley Borough 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 in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

2 Background

As part of its responsibilities outlined above, the Council is also required to produce an Annual Governance Statement (AGS) and publish the Statement alongside its Annual Statement of Accounts. The format of the statement is based on guidance produced in 2016 by the Chartered Institute of Public Finance (CIPFA) in conjunction with the Society of Local Chief Executives (SOLACE) titled “Delivering Good Governance in Local Government: Framework”.

- 2.1 The Statement is attached as an Annex to this report and covers the following areas:
- (a) Scope of responsibility
 - (b) The purpose of the Governance Framework

Report to Cabinet – 26 May 2021

APPENDIX A

- (c) The impact of Covid-19 on the governance framework
- (d) The Governance Framework in place at the Council
- (e) A review of its effectiveness
- (f) A separate Annex of Significant Governance Issues that need to be addressed during 2021/22.

- 2.2 The Review of Effectiveness (item 2.2 (e)) has been carried out by the Temporary Chief Internal Auditor (DCIA) of Portsmouth City Council.
- 2.3 The TCIA has reviewed all of the internal audit work carried out during the year and familiarised himself with the Council's governance arrangements. To inform this work, a self-assessment of the internal audit function's conformance with the Public Sector Internal Audit Standards (PSIAS) was carried out in March 2021.
- 2.4 On the basis of Internal Audit work completed in 2020/21 only, the TCIA of Portsmouth City Council has provided a "substantial assurance" in respect of the Council's risk management, control and governance arrangements.
- 2.5 The emergence of the Covid 19 pandemic towards the end of March 2020 has had an unprecedented impact on the Council's budgets and governance arrangements for the 2020/21 financial year. The impact that this has had on governance arrangements is explained throughout the AGS. The financial effects of Covid 19 will be shown more fully in the Revenue Outturn report on a future agenda.
- 2.6 The date for final publication of the Council's accounts and Annual Accounts and Annual Governance Statement has been extended from 31 July to 30 September for financial years 2020/21 and 2021/22. Once post-Covid 19 assurance work has been undertaken, this Annual Governance Statement may need to be updated, prior to the deadline, to reflect any governance changes or issues that arose.

3 Corporate Objectives and Priorities

- 3.1 In addition to its legal responsibilities, approval of an AGS is considered to be best practice and will ensure that proper arrangements are in place to deliver the aims of the Council's Corporate Plan.

4 Consultation / Communications

- 4.1 The Chief Executive, Deputy Chief Executive and all Heads of Service have been asked to review the AGS and consider whether there are any areas which they felt are appropriate for disclosure. All comments received have been incorporated in the Statement. The Audit Panel has also reviewed and endorsed the draft AGS at its meeting on 18 March 2021.

5 Options

- 5.1 The Council has a statutory duty to approve an AGS. In view of this, if the annexed AGS is not approved, Council should provide a clear indication as to what changes are needed in order for a revised version to be presented as soon as possible.

Report to Cabinet – 26 May 2021

APPENDIX A

6 Risk Management

6.1 A review of the risks associated has identified three significant governance issues as detailed in the annex to the Statement. The required actions proposed to mitigate these risks include timescales and officers responsible for completing them.

7 Resource Implications

7.1 There are no direct resource implications in approving the AGS. The publication costs can be met within existing budgets.

8 Legal Implications

8.1 The Council is required by the Accounts and Audit (England) Regulations 2015 to approve, and subsequently publish, the AGS with the Statement of Accounts.

9 Equality Issues

9.1 This report has not identified any equality matters.

10 Conclusion and reasons for recommendation

10.1 The AGS is part of the framework for delivering good governance in local authorities. The Statement is a high profile document signed by the Leader and Chief Executive and is published with the Statement of Accounts each year to demonstrate a commitment to improving corporate governance.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Accounts and Audit (England) Regulations 2015			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Finance) Councillor M Flood			
Officer:	Carl Whatley	Ext:	8540
Report to:	Cabinet	Date:	26 May 2021

Test Valley Borough Council

Annual Governance Statement 2020/21

Scope of responsibility

The 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 in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

The Council has approved and adopted a local code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is on the Council's website at:

<http://www.testvalley.gov.uk/aboutyourcouncil/corporatedirection/local-code-corporate-governance>, or can be obtained from the Head of Legal and Democratic Services. This statement explains how the Council has complied, and continues to comply, with the principles underlying this code and also meets the requirements of regulation 6 of the Accounts and Audit (England) Regulations 2015, which requires all relevant bodies to prepare an annual governance statement.

The purpose of the governance framework

The governance framework comprises the systems and processes, and culture and values, by which the Authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, value for money services.

The system of internal control is a significant part of that framework and is designed to manage risk at a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks occurring and the impact should they happen, and to manage them efficiently, effectively and economically.

The governance framework that has been in place at the Council for the year ended 31 March 2021 is explained in the following section along with changes that have been implemented in the year. It will continue to be developed during the coming year.

The impact of Covid19 on the governance framework

The Council's governance arrangements have been significantly impacted by the coronavirus pandemic during 2020/21. Response and Recovery Plans have been established and the Council has put in place robust and effective measures for managing these impacts including:

- Taking an active role in the Hampshire and Isle of Wight Local Resilience Forum (LRF) contributing to the wider LRF response and recovery programmes.
- Establishing clear roles and responsibilities with the Council's Cabinet who are the recovery sponsors and the Management Team meeting specifically as a response and recovery programme group to review and guide the delivery of the action plans derived from the strategic priorities set out in the recovery plan.
- Continuing to support community response and recovery through funding and bringing together community partners on a regular basis.
- Working with its strategic partners to support testing and vaccination centres which are now in operation within the borough.
- Identifying priorities and work streams and fully assessing and regularly reviewing the impacts and mitigating actions.

The governance framework

The key elements of the systems and processes that comprise the Council's governance arrangements are as follows:

- The Council has fulfilled the following key roles (now formally adopted as part of the Local Code of Governance):
 - To promote the well-being of the area and provide leadership to the community;
 - To ensure the provision of high quality services provided in-house, by private sector companies, jointly with other Councils or agencies, or by the voluntary sector;
 - To be accountable and provide stewardship for the use of public funds and resources;
 - To build a strong sense of community.

In fulfilling these roles the Council is committed to following the six core principles of good corporate governance identified in the CIPFA/SOLACE Guidance and how the Council is working towards achieving these principles is set out in the document "Principles of Good Governance"

- A single strategic partnership for the Borough is in place called the Test Valley Partnership. It brings together the key partner agencies

from across the public and voluntary and community sector. It meets twice a year and provides a place in which the key strategic issues facing the borough can be discussed, joint work developed and statutory duties met. Throughout the pandemic, the Test Valley Partnership has continued to meet and has provided an essential role in bringing together community response. This has enabled strategic partners to work together to focus on future recovery. A full meeting of the partnership took place in October 2020 to review lessons learned from the pandemic so far and to discuss longer term systematic issues requiring a partnership response.

- The Council has a clear vision of its purpose and desired outcomes for the short, medium and long term. These are encapsulated in its Corporate Plan through a range of corporate and service strategies and through four areas of focus as part of the Council's commitment to the Test Valley Partnership. There has been considerable consultation and stakeholder involvement in the development and progression of these plans and strategies and they are made available to the public through a variety of means including the Council's website and Test Valley News.
- The Council has published a Corporate Plan for 2019 / 2023 "Growing Our Potential" which was approved by the Council on 10/04/19. It has four main aims and an action plan detailing how these aims will be delivered. It is supported by a performance management framework (including performance indicators) to measure progress. In developing the plan previous priorities were reviewed, extensive consultation was undertaken with local people and elected Councillors whilst also considering external influences on the borough such as government policy. The Council has a longstanding strategic commitment to work with its communities collaboratively. At the centre of this is the democratic role elected councillors play in bringing communities together to ensure inclusivity when undertaking local action planning and priority setting. The Council's Member and Community Development Group, chaired by the Leader of the Council, supports community councillors to engage more effectively with local residents and communities. This has enabled the Council to develop innovative practice such as being one of only three Local Authorities in the country to be part of the Innovation in Democracy Programme in 2019/20 in which, a Citizens Assembly was held in Romsey focused on the priorities for the South of Town Centre Masterplan. The Council is taking the learning from this programme and developing further opportunities to embed deliberative democracy activities as part of its onward programme of engagement and priority setting. The Council formally reviews its progress and performance against its corporate priorities through an Annual Corporate Action Plan Report <https://www.testvalley.gov.uk/aboutyourcouncil/corporatedirection/corporate-plan-for-2019-to-2023> which is presented to Overview and Scrutiny Committee (OSCOM) and the Cabinet.
- Members of OSCOM undertake task and finish panel reviews. Once an area for review has been identified, the lead member/chairman of

the panel presents the draft scoping document for the review to the full committee for consideration. A full report is then subsequently presented to OSCOM once the review has been completed or reached an appropriate stage. This process has ensured more effective and focused reviews and a clear line of responsibility to the main committee. In addition, there are standing panels; the Audit Panel and the Budget Panel which meet regularly throughout the year and cover scrutiny of all the financial activities of the Council. The standing Panels report to OSCOM on a regular basis and bring any issues of concern to the attention of the Committee.

- The Council has in place a Medium Term Financial Strategy, updated annually, which supports the aims of the Corporate Plan. The Medium Term Financial Strategy has been materially affected by the impacts of the coronavirus. Additional costs have been incurred and major income streams impacted by the effects of the restrictions put in place. Government funding in the form of support grants; the sales, fees & charges scheme; furlough; and new burdens' funding, has been provided; however, this falls considerably short of the actual budget impact on the Council in the year.
- The quality and value for money of services provided to users is measured through the Authority's performance management system. This includes the measurement and review of performance against national and local performance indicators and actions taken to address areas for improvement. Performance is monitored regularly throughout the year by Performance Boards.
- The roles of the Cabinet, OSCOM, and other committees of the Council as well as specific roles assigned to the Leader, Deputy Leader, Portfolio Holders and senior officers of the Council are defined and documented within the Council's Constitution. The Constitution also clearly identifies the powers, duties and responsibilities delegated to the Deputy Leader, Portfolio Holders and Officers, and includes rules for how Council and committee meetings should operate and the relationship between Members and Officers. Arrangements have been put in place to hold meetings virtually in accordance with legislation during the Covid19 pandemic to continue to enable Members to fully engage in decision making and allow for public participation. A remote Overview and Scrutiny Committee away day was also held and Members have been able, remotely, to continue to take part in other engagement forums such as Romsey Vision and Andover Future, both of which play a key role in the Council's projects and forward plans.
- In June 2020 the Council appointed a new Chief Executive. As incoming Chief Executive he has:
 - Increased resourcing of the Council's strategic objectives relating to town centre regeneration, climate change and the Local Plan by establishing 3 new posts funded from a management restructure.

APPENDIX A ANNEX

- Deleted the existing posts of Corporate Director and Head of Finance from the establishment and combined the roles of Head of Finance and Head of Revenues.
 - Disbanded the Senior Management Team (SMT) which was previously made up of the Chief Executive and two Corporate Directors. This meant that the Management Team that is made up of the Council's Heads of Service, Deputy Chief Executive and Chief Executive, has become the single management team of the authority. This has created efficiencies in terms of less double handling of issues and at the same time is developing the Management Team and its strategic capacity.
 - Established a new Service under a Head of Strategy and Innovation. This has enabled the Chief Executive and new Deputy Chief Executive to be relieved of departmental responsibility providing Management Team with greater pace and focus on functions which drive organisational performance, innovation and programme governance, clearly aligned to council priorities and values.
 - Created a forum (meeting 3 to 4 times a year) for senior managers who work directly to the Heads of Service to enable them to play a role in developing new ways of working within the council.
- The conduct of Members and Officers is regulated by separate codes of conduct within the Council's Constitution. The Council's General Purposes Committee together with the General Purposes Employment Appeals and Ethics Sub-Committee promote high standards of conduct by Members and consider complaints made against Members. A comprehensive set of Human Resources policies ensures compliance with employment legislation and promotes good personnel practices. These include disciplinary and capability processes to deal with conduct or performance which is unacceptable. These policies and procedures are regularly reviewed and revised.
 - The conduct of day to day Council business is regulated through policies and procedures such as Contract Standing Orders and Financial Regulations. These accord with good professional practice and were revised in 2017. The delegations to Members and Officers are kept continually under review and revised as appropriate.
 - Elected members and all officers are aware of their obligations under equality legislation, as well as the standards of behaviour and language which are expected from representatives and employees of the Council. Ongoing training is provided for both Members and officers. Equality impact assessments are built into the Council's decision-making process. The Council has reviewed its corporate equalities objectives, alongside its duties under the new gender pay gap publication requirements. The Council continues to deliver training on the Equality Act 2010 to new members of staff and to Members. The Council has published information that demonstrates compliance with the Equality Duty as defined by the Equality Act 2010 on its website.

<https://www.testvalley.gov.uk/aboutyourcouncil/corporatedirection/equality---diversity/equalities>)

- The Council has established Disability Focus Groups that contributed towards the development of the new Corporate Plan. The groups are helping the Council and its partners on an ongoing basis.
- The Council is a statutory partner with regards safeguarding its residents of all ages under both The Children Act 2004 and The Care Act 2015. The Council has in place a Safeguarding Children and Vulnerable Adults Policy and this and the associated procedures are monitored regularly to ensure compliance with these duties. The Council also liaises with both the Hampshire Safeguarding Children Partnership and Hampshire Safeguarding Adults Board to ensure this. On a bi-annual basis the Council is required by the Hampshire Safeguarding Children Partnership to complete the required Section 11 audit as a self-assessment of its position with regards its safeguarding duties. The last audit in 2019 identified that the Council is compliant with Section 11 of the Children Act.
- The Council approved a Climate Emergency Action Plan in 2020 to identify the steps it will be taking to work towards achieving carbon neutrality. The ability to make progress on the actions has been affected by the challenges posed by Covid19. However, because of the circumstances created by the pandemic certain areas have progressed quicker than anticipated such as new ways of working. In other areas, progress has already been made in delivering projects to reduce the energy consumption in the running of some of the Council's buildings.
- The Council has introduced a Council Tax discount that will exempt Care Leavers from Council Tax until their 25th birthday.
- The Council's approach to risk management is outlined in its Risk Management Strategy. Corporate risks are reviewed on a quarterly basis by the Council's Service Performance Boards and progress in managing the corporate risk register is reported to OSCOM on an annual basis. Annual workshops are also held with the Council's Management Team to review and update the corporate risks. The Finance Portfolio Holder is the Council's Member Champion for risk management and risk management is embedded within the Council's processes e.g. reports to decision-making committees use a template which includes a section on risk assessment which must be completed before the report can be considered.

The requirement to achieve Nutrient Neutrality from new residential development, overnight accommodation and tourist attractions affects the Council's strategic priority to deliver housing. The provision of measures to secure the use of land to provide off-site mitigation solutions necessary to protect the internationally designated nature conservation sites in and around the Solent, are shown in the attached action plan.

- The Council's OSCOM Audit Panel meets 3 times a year to undertake the core functions of an "audit committee". The terms of reference for the Audit Panel include:

Audit Activity

- To consider the Internal Audit Manager's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.
- To consider summaries of specific internal audit reports as requested.
- To consider reports dealing with the management and performance of the providers of internal audit services.
- To consider a report from internal audit on agreed actions not implemented within a reasonable timescale.
- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- To consider specific reports as agreed with the external auditor.
- To comment on the scope and depth of external audit work and to ensure it gives value for money.
- To commission work from internal and external audit.

Regulatory Framework

- To maintain an overview of the Council's constitution in respect of contract standing orders, financial regulations and codes of conduct and behaviour.
 - To review any issue referred to it by the Chief Executive, the Deputy Chief Executive, or any Council body.
 - To monitor the effective development and operation of corporate governance in the Council.
 - To monitor Council policies on whistleblowing and the anti-fraud, anti-corruption and anti-bribery strategies and the Council's complaints process.
 - To oversee the production of the authority's Annual Governance Statement and to recommend its adoption.
 - To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
 - To consider the Council's compliance with its own and other published standards and controls.
- The Chief Executive is the Council's Head of Paid Service and has overall corporate management and operational responsibility for the way in which the Council delivers its services. The Head of Legal and Democratic Services is designated as the Council's Monitoring Officer and has responsibilities under section 5 of the Local Government and Housing Act 1989 for ensuring that the Council complies with relevant laws and regulations and internal policies such as Contract Standing Orders. The Head of Finance and Revenues is designated as the Council's Section 151 Officer with responsibility for ensuring the

“proper administration of financial affairs”. The Head of Finance and Revenues also has responsibility under section 114 of the Local Government Finance Act 1988 for reporting to the Council and the external auditor if the Council has made, or is about to make, expenditure which is unlawful. These three statutory officers meet as necessary during the year to discuss significant corporate issues as they arise.

- The CIPFA statement on the Role of the Chief Financial Officer in Local Government (2010) requires the Chief Finance Officer to report directly to the Chief Executive and be a member of the ‘Leadership Team’, of equal status to other members. The Council does not strictly comply with this requirement in that the Head of Finance and Revenues reports to the Deputy Chief Executive. However, in practice, the Head of Finance and Revenues is able to report directly to the Chief Executive and Members as and when required, is a member of the Management Team, and is involved and consulted in all matters which have financial implications for the Council.
- The Council’s Constitution contains a Confidential Reporting Code for Employees which safeguards “whistle-blowers” who raise legitimate concerns about the Council’s actions and specifies how their concerns should be addressed. Financial Regulations require all staff to raise concerns about the use or misuse of Council resources with the Head of Finance (now Head of Finance and Revenues) or Internal Audit who will carry out an independent investigation of the circumstances. Internal Audit also actively encourages staff to raise matters of concern through “Speak Up” campaigns. A form is available on the Council’s Intranet for staff to raise concerns (anonymously if desired) about the use of Council resources and this facility has been extended to the website so that members of the public can raise concerns in this area. The Council also has a formal complaints procedure for members of the public to raise issues, e.g. where they are dissatisfied with the service they have received, and an annual report is prepared for OSCOM summarising these complaints and how they were resolved.
- The Council has a detailed Anti-Fraud and Corruption Policy which sets out the roles, responsibilities of officers and Members and actions to be taken when fraud or corruption is discovered. In addition, an Anti-Bribery Policy has been approved to address the requirements of the Bribery Act 2010.
- The Democratic Services Manager is responsible for identifying and providing for Councillors’ training needs. The Council has a cross-party Member and Community Development Group which is supported by officers from a range of services. This Group has continued to work to promote an enhanced role for Councillors that focuses on them acting as a catalyst for change to encourage communities to reach their full potential. This work has brought together the needs and expectations of our communities in order to make balanced decisions, and has ensured a culture of democratic accountability is embraced throughout the Council. The Group enables the Council to develop a programme

of Councillor training and development that is shaped by the Councillors themselves, ensuring that training and development activities offered is tailored to individual Councillor needs as well as the needs of Councillors generally, the council and communities. This work has been shared with the Councillor Commission and has become a key part of the ongoing work that supports this national project.

- All new Councillors are provided with induction training to assist them with understanding and successfully carrying out their different roles, with an ongoing programme of training and development provided on specific issues where appropriate e.g. planning, and to build key skills and knowledge.
- All officers also receive induction training and appropriate professional and skills training and development identified, for instance, through annual performance discussions.
- A People Strategy was produced in 2020/21 which shapes the cultural direction and people management practices for the future to enable the Council to achieve its ambitions over the next 3-5 years. Whilst being able to respond to the changing needs of local government and the borough's residents this forms part of the Council's Corporate Framework with close links to the Corporate Plan and Medium Term Financial Strategy.
- The Council has in place various channels of communication with the community and other stakeholders. The Council's Consultation Portal provides a single link to all our current 'live' consultations, giving residents the opportunity to get involved, as well as access to details of the feedback from previous consultations. There are a number of tools in place to enable the Council to hear the widest range of views from local communities, in a consistent way, as part of an evidence led approach to decision making. These include:
 - Statement of community involvement.
 - Community Planning Toolkit.
 - Specialist advice and support through Community Engagement Officers and policy Team.
 - Equality objectives which set out how the Council will ensure an inclusive approach to consultation.
- As the Council's place-based approach has grown partnership websites such as Andover Vision and Romsey Future have been developed, where appropriate, due to the collaborative nature of the projects e.g. Romsey South of town Centre. Consultation and project information has been posted to these websites with clear links back to relevant Council Services. <https://www.testvalley.gov.uk/consultations>.
- Publications such as Test Valley News are sent to all households and the Council's website is an important source of information about the Council and its services. The Council's website has been designed to make it more accessible to residents and businesses of Test Valley and to make it easier to undertake transactions online. An External

Communications Strategy has been produced to support the new Corporate Plan.

- The Council has identified its key partnerships and promotes good governance in those. The Council's Contract Standing Orders and Financial Regulations contain specific sections on partnerships and identify officer responsibilities in relation to the management and involvement in partnerships. Protocols and agreements are put in place for the management of significant partnerships.
- Covid19 Governance - The Coronavirus pandemic and social distancing requirements have necessitated some interim amendments to processes and controls in response to an increase in remote working and access to meetings. These are being delivered in a controlled manner with appropriate advice to managers regarding the risk of error and fraud. The crisis has required the Council to be innovative and flexible in releasing funds in a swift and controlled way. Interim processes have been put in place to maximise the benefits to residents and businesses. Crises like this will inevitably attract individuals who see the opportunity for fraud. All managers have been reminded of the risk of fraud and the various forms it may take. Interim processes are designed with this particular risk in mind.

Review of effectiveness

The Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the senior managers within the Authority who have responsibility for the development and maintenance of the governance environment, the annual report of the Internal Audit Manager, and also by comments made by the external auditor and other review agencies and inspectorates.

The effectiveness of the governance framework is maintained and reviewed through a number of mechanisms and processes:

- Full Council is ultimately responsible for maintaining, revising and ensuring compliance with the Council's Constitution. The Head of Legal and Democratic Services reviews the Constitution at least annually to ensure that it is up to date with current legislation and best practice.
- The Cabinet has responsibility for the day to day operation of the Council's business unless that business is delegated specifically to another committee (e.g. Planning, Licensing) and ensuring that governance arrangements and compliance is adequate for the conduct of that business.
- As part of the Council's open and transparent approach, Overview and Scrutiny Committee has responsibility for scrutinising the decisions of

the Cabinet and reviewing the Council's policies and functions and making recommendations to the Cabinet as appropriate.

- The Council's OSCOM and its Audit Panel takes responsibility for audit and risk management issues, reviewing the Council's work in these areas and monitoring the progress and performance of both Internal and External Audit.
- The Council's General Purposes Committee together with the General Purposes Employment Appeals and Ethics Sub-Committee have the role of promoting and maintaining high standards of conduct amongst Members and assisting them to observe the Authority's Code of Conduct. The work of the Sub-Committee is supported by the appointment of three Independent Persons and Parish representatives as required by the Localism Act 2011, The General Purposes Committee may receive reports as to the operation of the Code of Conduct in addition to which the General Purposes Employment Appeals and Ethics Sub-Committee will receive complaints about Member conduct and determine such complaints and direct or recommend any further action required consistent with the Localism Act 2011 and associated regulations.
- The Council's Internal Audit team, located within the Finance & Revenues Service, carries out a continuous review of the Council's systems to provide independent assurance that the control environment is effective in achieving the Council's objectives. The team objectively examines, evaluates and reports on the adequacy of the control environment as a contribution to the proper, economic, efficient and effective use of the Authority's resources. The performance of the Internal Audit team is monitored by the Council's Audit Panel and Section 151 Officer. The Internal Audit Manager presents the Internal Audit Strategy and Annual Audit Plan to the Audit Panel and produces an Annual Report giving an opinion of the adequacy of the Council's systems of internal control.
- A self-assessment of the internal audit function's conformance with the Public Sector Internal Audit Standards (PSIAS) was carried out in March 2021. The Public Sector Internal Audit Standards are a mandatory requirement, the objectives of which are to:
 - define the nature of internal auditing within the UK public sector,
 - set basic principles for carrying out internal audit in the UK public sector,
 - establish a framework for providing internal audit services, which add value to the organisation, leading to improved organisational processes and operations, and
 - establish the basis for evaluation of Internal Audit performance to drive improvement planning.

The self-assessment concluded that the function “generally” or “partially” conforms to the standards. Areas of “partial” assurance which will be addressed in 2021/22 included:

- The inability to assess the performance of the Audit Manager due to the vacancy of this post.
- Embedding of additional management KPIs.
- Limited opportunity to realistically benchmark with other local authorities during the year due to the Covid19 position.

There is evidence that the work the Internal Audit function has delivered is effective; especially around risk and performance. It contributes to and has influence in the Authority on these areas. It is a highly respected service that is engaged with the organisation and which provides on-going support in key areas, as well as effective assurance on controls.

- As there was no Internal Audit Manager in post at the time of producing this statement, the Annual Audit Opinion is provided as part of a service contract. The formulation of the opinion is based on information and documentation provided by officers from TVBC and therefore the opinion is given without delegation or control of the Audit Charter and Strategy or how the audits, undertaken during 2020/21, were risk assessed and scoped. Based on the data provided in relation to the audit plan and other internal governance arrangements, the Temporary Chief Internal Auditor of Portsmouth City Council is able to provide Substantial assurance in respect of the Council’s risk management, control and governance arrangements. “Substantial Assurance” means that systems in place are generally sound, but some weaknesses have been identified which may put some of the control objectives at risk. These weaknesses have been identified and form the basis of the action plan appended to this Statement.
- As noted throughout this statement, the Council’s governance arrangements have been significantly impacted during 2020/21 due to the Coronavirus pandemic and the need for Response and Recovery Plans to be established. Internal Audit conducted a review of the governance arrangements relating to this response, the results of which highlighted that substantial assurance could be given on the governance arrangements in place to allow the Council to respond and recover from the COVID pandemic.

Another significant governance issue arose with the Council's requirement to administer business rates related grants within extremely short timescales multiple times during 2020/21. Internal Audit conducted a review to consider the pre assurance checks undertaken on applications, along with the planned post assurance checks to determine if any money is to be recovered from fraudulent or incorrectly administered grants. This audit resulted in a substantial assurance opinion being given, provided the post assurance work is undertaken as planned in 2021/22.

- The Council is regularly audited by the External Auditor (Ernst and Young LLP) who independently examines the Council's accounts and financial systems and who presents an [Annual Audit Letter](#) to Members, the latest available covering the financial year 2019/20. This was a positive report with an unqualified opinion on the Council's accounts, system of internal control and arrangements to achieve value for money.

The Covid19 pandemic has had an unprecedented impact on the Council's governance arrangements for 2020/21. These impacts have been evaluated, in line with government guidance and mitigation measures, and developed alongside the Council's strategic partners and Local Resilience Forum.

The date for final publication of the Council's Annual Accounts and Annual Governance Statement is 30th September 2021. Once post Covid19 assurance work has been undertaken, this Annual Governance Statement may need to be updated, prior to the new deadline, to reflect any governance changes or issues that arose.

DECLARATION

We have been advised on the implications of this review of the effectiveness of the governance framework and of any significant governance issues. A plan to address weaknesses and ensure continuous improvement of the system is in place as shown in the attached annex.

We propose over the coming year to take steps to address these 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 our next annual review.

Signed: **Signed:**

Leader of the Council

Chief Executive

APPENDIX A

ANNEX

Significant governance issues

The following identifies the significant governance issues to be addressed, the proposed action, timescale and lead officer.

Issue	Action to be Taken	Timescale	Lead Officer
<p>Business Continuity Plan: The Council has a well-established approach to Business Continuity Planning which is primarily based on alternative office accommodation for its employees to relocate to. Although the current Business Continuity Plan remains valid the lessons learned from the pandemic and the move to more remote working means the BCP would benefit from review.</p>	<p>The Corporate Business Continuity Plan is being revisited and revised as part of a Corporate project. This will consider the new ways of working introduced in response to the pandemic.</p>	<p>31/03/22</p>	<p>C Moore</p>
<p>Nutrient Neutrality: Following advice from Natural England, in order to comply with the Habitats Regulations, new development for housing, overnight accommodation and tourist attractions, should achieve nutrient neutrality to avoid an increase in nutrients from wastewater entering the Solent and having an adverse effect on international designated sites.</p>	<p>The Council to secure the delivery of land to provide off-site mitigation solutions in order to achieve nutrient neutral development, including to enable the delivery of housing.</p>	<p>31/03/22</p>	<p>G Smith</p>

APPENDIX A

ANNEX

Issue	Action to be Taken	Timescale	Lead Officer
<p>Covid 19 Response and Recovery: The Council's governance arrangements and Medium Term Financial Strategy have been significantly impacted by the coronavirus pandemic. Response and Recovery Plans have been put in place and will continue to be delivered during the coming year.</p>	<p>A structured recovery programme has been put in place and incorporated into the Council's governance arrangements. Management Team to continue to lead this programme of work to shape how the Council works in the future based on its Covid 19 experiences.</p> <p>The Council has included a risk and mitigating actions within its Corporate Risk Register to effectively respond to and recover from the Covid 19 pandemic. The actions to continue to be monitored by Management Team during the coming year.</p>	<p>31/03/22</p>	<p>J Moody</p>

ITEM 11

OSCOM: CHAIRMAN'S ANNUAL REPORT

Introduction

The last twelve months has been a very difficult and challenging chapter, as members and officers have had to adjust to full time remote working.

We all know how important climate change is, TVBC appointed a climate change champion and OSCOM receive updates every six months.

Even though COVID-19 slowed us down, OSCOM has achieved many objectives. Throughout the various phases of the pandemic the Council has supported businesses, the town centre and our most vulnerable people in Test Valley.

Away Day

The OSCOM Away Day in 2020 was held in two parts. The first was a virtual meeting on 27 July 2020 where members discussed potential areas for review which could form part of the coming year's Work Programme. The aim of the session was to identify potential areas of interest and understand why they were important. Following prioritisation of potential review areas, a further away day session was held on 5 October 2020 to consider with lead officers the more detailed scoping of the prioritised areas that could form reviews for the year ahead. The session also included consideration of timetabling for the selected reviews, a review of current overview & scrutiny statutory guidance and training and development opportunities that the committee would like to pursue. The top 8 areas of review considered were;

- Covid-19 Recovery – regular reports to Committee meetings beginning on 21 January 2021.
- Local Plan –Members were invited to attend a series of seminars.
- Housing Provision – The HOS provides an annual briefing note in the summer of each year which updates members on the housing strategy and associated key issues. There is an opportunity to have a roundtable following the briefing note being circulated should any key issues emanating from the note require further discussion.
- Community Engagement and Communication – A member session on the role of the Community Councillor was held on Monday 16 November.
- Mental Health provision – A case study seminar was held on 9 December 2020
- Diversity in Employment and Skills – A round table discussion was held on Tuesday 10 November.
- Planning Enforcement – Training was held on Tuesday 24 November.
- Disability, Equality and Inclusion – An annual report would be presented to the Committee at its meeting in July.

Annex

Round Table discussions and Briefing Notes

4 Round Table discussions have been held during the year including:

Andover Vision
Climate Emergency Workshop
Mental Health
Corporate Action Plan Year 3

Briefing Notes continue to be circulated to OSCOM.

Items and Meetings

There have been 10 meetings held since the last Chairman's Annual Report. A number of items have been considered by OSCOM on their way to Cabinet and Council including Climate Emergency Action Plan, Review of Armed Forces Covenant and the Budget Strategy Update.

Outcomes:

- Climate Emergency Action Plan – OSCOM co-ordinated the preparation of the Climate Emergency Action Plan through seven cross-party member and officer work streams. The Action Plan was subsequently approved by Council on 10 June 2020. It identifies OSCOM as the main monitoring board, with six-monthly reports to be presented. Two such reports have been considered (September 2020 and March 2021) since the Council approval. These have enabled discussion on the delivery of the actions and implications of changing circumstances, such as arising through the Covid-19 pandemic. It is recognised that the Climate Emergency Action Plan is a living document that will need to be kept under review. The reports to OSCOM will help inform this process.
- Review of Armed Forces Covenant (**covered under panels**)

Further items discussed by the Committee included Safeguarding Children and Vulnerable Adults, Annual Audit Report, Annual Report on Complaints, Work of the Test Valley Community Safety Group, Authority Monitoring Report and Voluntary Sector Grant Funding.

The Committee had received regular updates on the Covid-19 community response and recovery process.

Presentations

A number of presentations were received during the year from both internal and external presenters, including:

- **Local Policing** – Cl Thorne attended to explain the comparisons for offences from April 2019 to March 2020 and took questions from members on fines, responses to 101 calls, numbers and funding of PCs and PCSOs, Street Rangers, Speed Limits, Travellers, Drug Use, Recruitment of Police Officers and County Lines.
- **Finance Portfolio Holder**, Councillor Flood presented an overview of the portfolio which included Property and Asset Management, Revenues, Finance and Project Enterprise. The presentation also covered key issues and challenges for each service, impact of Covid-19 on the Council's budget, impact on the Leisure contract, work done to support our communities, Government support and reserves position.
- **Corporate Portfolio Holder Presentation**, Councillor Tasker gave an overview of her portfolio which comprises of Legal and Democratic Services, IT and the Customer Service Unit. The presentation highlighted areas of work undertaken during the past year and highlighted project and focus in the coming year.
- **Community and Leisure Portfolio Holder**, Councillor Jeffrey presented an overview of his portfolio which comprises parks, countryside, sport and play, cemeteries, arts and culture, communities and volunteers.
- **Economic Development Portfolio Holder**, Councillor Drew presented an interim update of the Economic Development Strategy which went to Cabinet in January 2021. This reflected the economic emergency relating to the pandemic.
- **Planning Portfolio Holder**, Councillor Adams King gave a presentation on nutrient neutrality including its impact on determining planning applications and managing the process of them being considered at committee once the nutrient neutrality issue has been resolved.
- **Environment Portfolio Holder: Councillor Johnston gave a presentation on** specific areas requested by the Committee on recycling and garden waste collections, an understanding of the pending changes in national policy on waste collections and a broad outline of any changes.

Panels

Budget Panel - The panel, led by Cllr Lodge, met three times during the course of the year.

In addition to its usual role of reviewing the Medium Term Financial Strategy and other budget development matters, this year the Budget Panel also focused on the impact that the coronavirus pandemic has had on the Council's finances. This focus included scrutiny of the additional costs the Council has had to meet, the income that it has lost and how that compared to the government support that has been provided. It also considered the proposals for how the Council might meet the expected deficit.

The outcomes of these Panel meetings were recommendations to OSCOM that enabled the committee to make its own recommendations to Cabinet, helping to deliver a robust and balanced budget for the Council in the 2021/22 financial year.

Future of Health Provision in Andover and Romsey The panel was led by Councillor Baverstock. The findings from the review focused on the role that the Council and specifically the Planning process had in supporting health provision and identifying where improvements could be made. The panel made a number of recommendations to encourage proactive and effective communication with the local Clinical Commissioning Group and support through the planning process and the provision of health and leisure facilities. The panel also welcomed the development of shared evidence and justification for the requirements for health facilities and their delivery. The local health forum and health and social care committee should be monitored regularly through six monthly feedback reports from Members supported by officers and communication with Hampshire Together and engagement in the consultation process in its running of the surrounding areas and in particular in respect of new hospital provision.

The panel also recommended undertaking a review of parking standards at and transport to hospital and health centres to inform the revised Local Plan.

Responding to the pandemic has been the primary focus for colleagues in the health sector. As the Council moves forward with drafting the next local plan and delivering housing allocations the importance of continuing good communication will help ensure that health facilities are delivered that our communities need.

Review of Armed Forces Covenant The panel was led by Councillor Matthews which reviewed the Armed Forces Covenant with particular reference to Test Valley's obligations, commitment and identifying best practice. The review found that TVBC are currently meeting their promise made under the Armed Forces Community Covenant however there were opportunities identified to improve communication with partner organisations and to lead on a more inclusive approach to supporting the Armed Forces communities within Test Valley. The recommendations made by OSCOM were to support these findings and propose ways to start engaging in the opportunities identified. Two recommendations were made to and agreed by Cabinet on 10 February 2021.

The first Civilian Military Forum (CMF) was held on Friday 19 March which saw fourteen partners attend from a range of groups supporting Armed Forces communities across the borough. Partners discussed what the CMF should look to achieve for the military community, veterans and the groups they represent. Focussed discussions were initiated on 'health' and 'business & transition' for the Armed Forces community.

The first stages of a single point of contact webpage are in progress, the initial webpage will be established to outline key contacts and sign posting. The longer term ambition is to develop a programme of user led research and testing to establish a future proof webpage, led by user insights.

The work of OSCOM has ensured that the background work in launching the CMF and webpage have been, and will be delivered in an evidence led way. This in turn has supported meaningful discussions and action planning for the group.

A clear onward path has been established with good partnership links that will continue to strengthen over time and support the delivery of tangible outcomes for the Armed Forces community. Ensuring they are not disadvantaged when accessing services & support in Test Valley.

Review of the informal process for selection of OSCOM Chairman The panel was led by Councillor C Dowden. The purpose of the review was to identify if there were opportunities to refine the current informal process to select the proposed candidate for Chair of OSCOM for consideration at Annual Council. The review had focused on how the informal process can enable members to learn more about prospective candidates and how they will meet the qualities of the role description and what they will bring to the role of Chair if selected.

Following OSCOM's recommendation, an enhanced process will now take place ahead of Annual Council in May 2021. This also include a roundtable session in which all councillors are invited to attend where candidates will be able to make a short presentation on why they would like to be considered for the role ahead of the secret ballot.

Review of Outside Bodies The panel was led by Councillor C Dowden. The purpose of the review was to undertake a review of the arrangements in place for member's representation on outside bodies. This review was seeking to understand the added value that having members as representatives on these bodies brings to ensure that these organisations and council gain mutual benefit from this.

The Panel is due to report to OSCOM in April with a focus on how members of outside bodies can report back on the work of the organisations they are supporting in a more effective and meaningful way.

Conclusion

With the challenging financial environment for local government continuing, the scrutiny of performance and financial information will continue to be a core aspect of the committee work.

This report gives a flavour of the varied work undertaken by the members of OSCOM and reflects the diligence and hard work over this very stressful times.

Of course none of this would be possible without the dedication and commitment of members and officers throughout the year with particular thanks to my Vice Chairman, Councillor Lodge and Andy Ferrier, James Moody and Caroline Lovelock.

Zilliah Brooks
Chairman
Overview and Scrutiny Committee

ITEM 12

Exclusion of the Public

Recommended:

That, pursuant Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following reports on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A of the Act, as amended, indicated below and public interest in maintaining those exemptions outweighs the Public interest in disclosing the information:

Item 13 - Proposed Property Purchase

Paragraphs 2 & 3

It is considered that this report contains exempt information within the meaning of paragraphs 2 and 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the report contains financially sensitive information and may impede the Council's ability to achieve best value.

Item 14 - Contractual Matters

Paragraph 3

It is considered that this report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended, being that the information relates to the financial or business affairs of any person (including the authority holding that information). It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.