

AGENDA

AUDIT COMMITTEE MEETING



Date: Monday 10 June 2013
Time: 6.30 p.m.
Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Black, Butler, Daley, Nelson-Gracie
and Warner

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Election of Chairman
5. Election of Vice-Chairman
6. Disclosures by Members and Officers
7. Disclosures of Lobbying

Continued Over/:

Issued on 30 May 2013

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Alison Broom

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

8. To consider whether any items should be taken in private because of the possible disclosure of exempt information
9. Minutes of the meeting held on 25 March 2013 1 - 4
10. Appointment of Political Group Spokespersons
11. Report of the Head of Finance and Resources - Property Investment 5 - 9

MAIDSTONE BOROUGH COUNCIL

AUDIT COMMITTEE

MINUTES OF THE MEETING HELD ON 25 MARCH 2013

Present: **Councillor Butler (Chairman), and
Councillors Black, Burton and Mrs Wilson**

86. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Warner.

87. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

88. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

89. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

90. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

91. EXEMPT ITEMS

RESOLVED: That the Item on Part II of the Amended Agenda be taken in private as proposed.

92. MINUTES

RESOLVED: That the Minutes of the Meeting held on 14 January 2013 be approved as a correct record and signed.

93. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 14 JANUARY 2013

Minute 78 – Revaluation of Investment Properties

In response to a question by a Member, the Head of Finance and Customer Services informed the Committee that, although there were problems with the valuations for 2012/13 the Council had retained the services of the same valuation firm as they now had a greater knowledge of our assets than any other firm. All properties requiring valuation as at 1 April 2013 are complete, those requiring valuation at 31 March 2013 will

be completed during April 2013. This is already a great improvement on the situation in 2012/13. A Member requested a copy of the current information available.

Minute 81 – Draft Strategic Risk Register

In response to a question by a Member, the Head of Audit Partnership informed Members that the action plans will be brought to the next meeting of the Committee.

94. CERTIFICATION OF FINANCIAL CLAIMS AND RETURNS

The Committee considered the report of the Director of Regeneration and Communities regarding the outcome of the Audit Commission work to certify the grant and subsidy claims that the Council submitted during 2011/12.

It was noted that Maidstone has a strong control environment, particularly around housing benefits and Members were assured that when errors are found the process is checked through to see if any further training is required.

RESOLVED: That the Audit Commission's assurance that the Council maintains a strong control environment for the preparation and monitoring of grant claims and returns be noted.

95. AUDIT COMMITTEE PROGRESS REPORT - MARCH 2013

The Committee considered the report of the Head of Finance & Customer Services regarding the report of the External Auditor on the progress to date against the 2012/13 audit.

It was noted that the interim accounts audit had taken place in March and there were no issues, at this stage, to bring to the Committee.

In response to a question from a Member regarding the challenging questions within the External Auditor's report, the Director of Regeneration and Communities informed Members that a briefing for all Members was being arranged regarding National Non-Domestic Rates ("NNDR") and it was proposed that a workshop be arranged for Audit Committee Members to cover the other issues raised by the challenging questions. In response to a further question from a Member, the Head of Finance and Customer Services agreed to produce a briefing note on the findings and distribute it to the Members of the Committee.

RESOLVED:

1. That the External Auditor's progress report, as attached at Appendix A to the report of the Head of Finance and Customer Services, be noted.
2. That the Committee welcomed the opportunity for planned training.

96. INTERNAL AUDIT OPERATIONAL PLAN 2013/14

The Committee considered the report of the Head of Audit Partnership setting out the one-year operational Internal Audit plan for the financial year 2013/14.

The Committee indicated that the flexibility of the plan should be reflected within the recommendation made.

RESOLVED: That the contents of the one-year operational Internal Audit plan, as set out at Appendix 1 to the report of the Head of Audit Partnership, be agreed, subject to responsive amendments.

97. PUBLIC SECTOR INTERNAL AUDIT STANDARDS

The Committee considered the report of the Head of Audit Partnership setting out the new standards for the provision of internal audit within public sector organisations in the United Kingdom with effect from 1 April 2013.

It was noted that CIPFA have produced a guidance note which will be published in the next 2-3 weeks.

RESOLVED: That the new Public Sector Internal Audit Standards and the action that is being taken to implement them be noted.

98. AUDIT COMMITTEE WORK PROGRAMME 2012/13

RESOLVED: That the Audit Committee Work Programme 2012/13 be noted and used as a base for the next Municipal Year, subject to consideration being given to ways in which the workload in September and November could be reduced.

99. EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED: That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reasons specified, having applied the Public Interest Test:-

**Head of Schedule 12A and
Brief Description**

Report of the Assistant Director of
Regeneration and Cultural Services -
Maidstone Museum East Wing Extension
- Project Budget Overspend

3 – Financial/Business Affairs
5 – Legal Professional
Privilege/Legal
Proceedings

100. MAIDSTONE MUSEUM EAST WING EXTENSION - PROJECT BUDGET OVERSPEND

The Committee considered the report of the Assistant Director of Regeneration and Cultural Services updating the Committee in relation to the actions being taken in relation to the East Wing extension construction project.

RESOLVED: That the report be noted and everyone involved be thanked.

101. DURATION OF MEETING

6.30 p.m. to 7.20 p.m.

MAIDSTONE BOROUGH COUNCIL

AUDIT COMMITTEE

10 JUNE 2013

REPORT OF THE HEAD OF FINANCE & RESOURCES

Report prepared by: Paul Riley

1. PROPERTY INVESTMENT

1.1 Key Issue for Decision

1.1.1 To consider changes to the criteria for prudential borrowing in relation to property investment as previously agreed by Cabinet in September 2012.

1.2 Recommendation of the Head of Finance & Resources

It is recommended that:

1.2.1 Audit Committee make recommendations to Cabinet on the Committee's views having considered both the proposal set out in the report and the recommendations that will be considered by Cabinet on 12th June 2013.

1.3 Cabinet Decisions

1.3.1 In September last year Cabinet agreed principles for property investment. These identified three categories of property investment for which prudential borrowing could be utilised to cover capital costs. These were:

- a) Additions to the Council's commercial property portfolio;
- b) Derelict residential property in order to restore and bring them back into use; and
- c) For strategic investment such as to progress stalled development.

1.3.2 At the meeting on 12th June 2013 Cabinet will consider the proposal as set out in this report and the following recommendations:

1.3.2.1 Cabinet agrees to broaden category b) for prudential borrowing for the purpose of property investment as

approved previously by Cabinet in September 2012 (see section 1.3.1 below) as follows:

“b) Residential property including derelict and long term empty property, in order to restore and bring them back into use and property suitable for use as temporary accommodation, in order to reduce reliance upon bed and breakfast accommodation.”

1.3.2.2 Cabinet agrees to include within the assessment of the business case the benefits gained from real terms cost reductions as well as the income generated directly by the investment property.

1.4 Reasons for Recommendation

1.4.1 Two issues have arisen from the current pressures on the Council's homelessness budget especially the pressures on the budget for bed and breakfast accommodation, due to increased demand.

1.4.2 Under category (b) above the key objective is to bring derelict property back into use thus increasing housing supply. This would have the effect of reducing homelessness and the related cost of temporary accommodation provided by the Council. Agents have been appointed to identify suitable property and a number of derelict properties have been identified and the owners are being sought. In some cases negotiations are underway to agree a purchase price, however, it is noted that these properties require considerable work to bring them back into use, which may make the proposition of refurbishment financially unviable.

1.4.3 The investigations to date by Housing Services have identified an option that was not previously considered in the categories set out in the original September 2012 report. This relates to property which, subject to some conversion and/or refurbishment, would be suitable to use as temporary accommodation for those people who the council has a duty to provide emergency housing. This is not derelict housing and does not come within the criteria under category (b) above for capital financing through prudential borrowing.

1.4.4 As the Committee will be aware from monitoring and performance reports during 2012/13, the number of households requiring housing assistance has increased considerably in the current economic climate. The return of derelict property into housing use would help to reduce the level of demand for temporary accommodation and thus the cost of homelessness. The acquisition of property that would provide alternative accommodation to the bed and breakfast arrangements used at present would have a direct impact on the cost of

homelessness and the circumstances of those currently in temporary accommodation.

1.4.5 It is therefore proposed that consideration is given to varying the criteria for prudential borrowing under category (b) above to include consideration of property that is not derelict, where the business case identifies this as a suitable alternative to temporary accommodation through bed and breakfast and enables the council to reduce the overall cost of the provision to homeless individuals and households.

1.4.6 If the variation of category (b) for prudential borrowing as set out above is agreed the business case for such schemes could include not only the income generated by the proposal but the reduction in the budget for alternative provision as currently provided by the Council.

1.5 Alternative Action and why not Recommended

1.5.1 The Audit Committee could decide not to support the proposal but this would prevent the opportunity to provide better accommodation for homeless people and make savings against the revenue account budget.

1.5.2 The Audit Committee could decide to recommend that Cabinet do not agree the proposed amendment to category (b) and propose that the acquisition of such property is completed as a one-off business case outside of the current investment activity. This is not recommended as it would reduce the speed at which such property could be brought forward and would divide the focus of Housing Services between two possible routes to achieve the same objective.

1.6 Impact on Corporate Objectives

1.6.1 These changes will help to provide excellent customer service and contribute to Maidstone being a decent place to live.

1.7 Risk Management

1.7.1 There is a risk that property values could fall but such acquisitions will be a long term investment and will be carefully managed by the property team. It is also proposed that the arrangements for such purchases be supported in principle subject to the governance arrangements previously agreed.

1.7.2 In order to mitigate the risk it is suggested that external professional advice is provided regarding the management of the properties.

1.8 Other Implications

1.8.1

1.	Financial	X
2.	Staffing	
3.	Legal	X
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

1.8.2 Financial Implications –The financial consequences of this decision can best be explained by reference to the scheme currently being developed. In principle the financial situation is as follows:

- Net budget provision for temporary accommodation in 2012/13 was £125,000. Net expenditure on temporary accommodation in 2012/13 exceeded £300,000 with over 160 households being placed into bed & breakfast during that time.
- The proposal currently being considered would halve the use of bed and breakfast accommodation at a cost to the Council of approximately £50,000 per annum. This would reduce overall outlay by £100,000.
- If at a future date the property was no longer required the balance of prudential borrowing would need to be covered from the sale proceeds of the property on disposal. Valuation of the expected future value of the property will form part of the business case of any scheme brought forward.

1.8.3 Legal Implications - Legal support will be required to provide the usual conveyance service to enable the purchase of the properties.

1.9 Relevant Documents

1.10 Cabinet Report of the Assistant Director of Environment and Regulatory Services agreed in September 2012.

1.10.1 Appendices

1.10.2 None

1.10.3 Background Documents – none

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

Wards/Parishes affected: