

Audit Sub Committee

Minutes of the meeting held on 2 February 2007
In the Conference Room, EMRA

Present: Pat Zadora, EMRA (Chair)
John White, EMRA (East Midlands Business Forum)
Cllr Chris Stanbra, EMRA (Lib Dem)
Cllr David Sprason, EMRA (Conservative)
Cllr Ken Savidge, EMRA (Labour)
Nigel Rudd, Chief Executive

Apologies: Ashley Lang, GOEM
Cllr Byron Rhodes, EMRA (East Midlands Police Authorities
& LCC)
Pamela Tunn, Financial Consultant

In Attendance: Lisa Hopkins, EMRA (Minutes)

		ACTION
	Pat Zadora welcomed Cllr Ken Savidge to the group.	
1.	Apologies	
	Apologies were received as noted above.	
2.	Declarations of Interest	
	None.	
3.	Minutes of the Meeting held on 10 October 2006	
	These were confirmed as a true and accurate record.	
4.	Matters Arising	
4.1	<u>Interest on Balances</u> Pat Zadora confirmed that this paper shows that EMRA are receiving a better rate of interest with LCC than in the business reserve account which was held previously.	
4.2	<u>Items for Future Meetings</u> Pat Zadora reported that this programme had been provided until the end of the Assembly year.	

		ACTION
4.3	<p><u>Risk Register</u></p> <p>This was available for the group to look at during the meeting. It was recognised that this is work in progress.</p> <p>Nigel Rudd reported that there is currently 2 parts to this register – the first part is risk and how this is managed and the second part is the LCC Risk Assessment model.</p> <p>The two will be blended using the Leicestershire model.</p>	AN
4.4	<p><u>Revised Terms of Reference</u></p> <p>Pat Zadora reported that these incorporated issues that were discussed at the previous meeting and are laid out in the ‘cadbury’ style.</p> <p>The group approved these terms of reference and agreed for these to be taken to the EMRA Board meeting on 9 February 2007.</p>	
5.	GOEM quarterly review – including Key Performance Indicators	
5.1	<p>Pat Zadora stated that it is encouraging to see that more press/television coverage has been achieved, although some of the negative publicity is to be expected due to the RSS process.</p> <p>This report was discussed and the following observations/comments were made:</p> <p><u>Develop mechanisms with partners to promote older and younger people making a representative input into regional working</u></p> <p>Pat Zadora reported that are currently looking at this within the ESEP group. A special meeting of this group is to be held on 12 February 2007 to discuss this issue.</p> <p>Cllr Sprason enquired around involvement with the Regional SHA. Pat Zadora informed that there are currently 2 Health places on the Assembly which have traditionally been held by the Strategic Health Authority or other Health nominee.</p> <p>Pat Zadora and Nigel Rudd have met with Sir John Brigstocke and Barbara Hakin, from the Strategic Health Authority, who have committed to encouraging support.</p> <p>Pat Zadora reported that the Leadership Form has been established and Sir John Brigstocke is part of that group.</p> <p>Cllr Savidge stated that it would good to have input into the National Institute for Clinical Excellence guidelines. A discussion around Health Boards and how to get onto these took place. Pat Zadora stated the need to encourage</p>	

		ACTION
	members to apply for these roles. She asked whether Health Board appointments can be put on to the EMRA website. Nigel Rudd agreed that a link to public appointments could be put onto this.	NR/RM
5.2	<p><u>Investors in People</u></p> <p>Nigel Rudd stated that the assessors are due in February to discuss how we are doing as an organisation. Nigel commented that EMRA have gone through a transitional year in 2006/07.</p> <p>90% of Staff Development Interviews have been completed and a programme is in place for completion of the rest.</p>	
5.3	<p><u>Contribute to EM Regional Rail Planning Assessment</u></p> <p>Nigel Rudd to check and report back on the draft RPA for formal consultation which is awaited from DfT.</p> <p>John White reported that the Eddington report is now out. He stated that he has been involved in reviews of this report and has information from these reviews. Nigel Rudd stated that the Transport Group would be the best group for this information to be presented to and this can then be fed up.</p>	NR/AP
5.4	<p><u>Development of A46</u></p> <p>Cllr Savidge raised the above issue. Nigel Rudd confirmed the need to keep the pressure on the Government and asked that the A46 Newark-Widmerpool development was mentioned whenever the opportunity arises.</p>	
5.5	<p><u>Support the development of key rail priorities</u></p> <p>Cllr Sprason enquired around the rail link to East Midlands Airport. Nigel Rudd reported that are presently in discussion with train companies. There is also the possibility of extending the Nottingham Tram system.</p> <p>Nigel Rudd to provide an update on this – the group wished for a heavy freight rail link to East Midlands Airport to be investigated.</p>	NR/AP
5.6	<p><u>To respond to consultations on major planning applications</u></p> <p>The reference to ODPM to be removed and replaced with DCLG.</p>	
5.7	<p><u>Develop LDF conformity function</u></p> <p>Progress stated received 29 consultations and responded to 32. Nigel Rudd to clarify.</p>	NR/AP
5.8	<p><u>IRS Framework</u></p> <p>Nigel Rudd reported that have had a debate around the level of contract. The</p>	

		ACTION
	<p>best one is not the cheapest.</p> <p>Nigel reported that the website has been updated. This will be launched at the Full Assembly meeting on 23 February 2007.</p> <p>He stated that any issues around Defra need to be taken to the Policy Board.</p>	
5.9	<p><u>Implements with partners a set of co-ordinated actions for Sustainable Development</u></p> <p>Nigel Rudd to provide an update on this issue.</p>	NR/YD
5.10	<p><u>Behavioural Change</u></p> <p>Nigel Rudd reported that work is currently being undertaken on this and will report back on this.</p>	NR/AP
5.11	<p><u>Regional Strategies within the IRS Framework</u></p> <p>Nigel Rudd reported that from the tenders received, the contractors are being assessed by Yvette Dearden and a Government Office representative this week.</p>	
5.12	<p><u>Regional Climate Change Programme of action to identify priority actions</u></p> <p>Nigel Rudd to update on this. Nigel stated that looking to show the film – An Inconvenient Truth after the Full Assembly meeting to which all members are invited.</p> <p>Cllr Sprason enquired whether EMRA/EMDA can fund copies of these to be placed in schools and libraries.</p> <p>Nigel Rudd in liaison with Jon Whowell will promote the film showing to encourage attendance.</p> <p>It was stated that 41 Authorities have signed up to the Nottingham Declaration – there are still 5 Authorities left to sign up.</p>	NR/YD
5.13	<p><u>Phase II Public Procurement Project</u></p> <p>Nigel Rudd stated that this will be looked at in the Regional Co-ordination Steering Group.</p>	NR
5.14	<p><u>Emda's sustainable procurement policy</u></p> <p>Pat Zadora reported that emda are recruiting a person to look at where to next with the next stage of procurement.</p> <p>The social, environment and economical process should be looked at by the Regional Co-ordination Steering Group.</p>	

		ACTION
5.15	<p><u>Sustainable Food and Farming</u></p> <p>Cllr Savidge enquired as to whether more needs to be done to promote this issue.</p> <p>It was stated that we have rural Local Authorities in the Assembly.</p> <p>Discussions took place regarding the carbon debate and the need to reduce transportation costs. It was stated that it is more sustainable to purchase/buy/ship locally.</p>	
5.16	<p><u>2012 Olympic Games</u></p> <p>Pat Zadora expressed concerns that the Regional Assembly/Local Authority are not involved enough in this. It was felt that this needs to be highlighted to Board.</p> <p>Cllr Sprason stated that have only received 1 presentation initially then have heard nothing since this.</p> <p>Discussions took place around this issue and the following questions were asked:</p> <ul style="list-style-type: none"> • Can anything be done to improve communication to help <i>emda</i>? • Needs to be transparency around the procurement process <p>Pat Zadora stated that she had enquired whether contracts could stipulate local businesses, but they wouldn't commit to this.</p> <p>It was stated that the wider stakeholder group which EMRA currently sits on have not been meeting therefore not being kept up to date.</p> <p>Cllr Stanbra expressed concerns that 5 or 6 Authorities within the Region could all be bidding for the same thing, when with co-ordination could bid for different things.</p> <p>This issue to go to the EMRA Board.</p>	<p>JW</p> <p>JW</p>
6.	Financial Update December 2006 – amended variances	
	<p>Pat Zadora reported that all notes on this report are in respect of spend to ensure funds are utilised by the year end.</p> <p>With regards to note 18 the Ptolemy model, it was stated that this is the model owned by the Highways Agency. This was used in the Milton Keynes, South Midlands area.</p> <p>Nigel Rudd stated that need to maintain pressure on spend in particular where reliant upon third-party invoices.</p>	

		ACTION
	<p>Have over-programmed spend at this point as it is easier to move back an invoice rather than pulling this forward.</p> <p>Contingency saving – this is subject to continuing discussions with GOEM. Nigel Rudd reported that the CLG have agreed in principle to some local contingency. He reported that the latest deal with GOEM is to try and bring down the contingency figure during 2007/08 to £100k.</p> <p>Cllr Stanbra expressed concerns that CLG could claw-back money if invoices aren't received before year-end.</p> <p>The Committee agreed that the level of detail in this report was very comprehensive and are happy to recommend this report to the Board.</p> <p>Nigel Rudd reported that we have committed £12,500 under corporate costs for LGA TV for the Improvement Conference in March.</p>	
7.	Internal Audit Plan	
	<p>Pat Zadora reported that this report provides details that were asked for at the last Audit Sub Committee.</p> <p>Cllr Stanbra asked for details of the spend that is to be incurred in the future.</p> <p>Nigel Rudd reported that the second draft of the Audit Report has been circulated to the management team. This will be on the agenda for the March Audit Sub Committee.</p> <p>Areas of concern on this report included the programming of meetings however, no high severe risks were identified.</p> <p>Nigel Rudd reported that there is a set matrix for the level of risk which is used by the Auditors.</p>	NR/AN
8.	Update on Corporate Governance Audit	
	<p>Nigel Rudd reported that the risk arrangements are all bound in with Leicestershire.</p> <p>Insurance Arrangements to be clarified for the next meeting.</p> <p>Nigel reported that EMRA/LCC are interviewing for a Corporate Governance Officer who will also act as the finance person. The contract for this post is for 2 days per week, however, can increase this if necessary.</p> <p>Cllr Stanbra enquired as to why registration for data protection is not required. Nigel Rudd to clarify this with David Morgan at LCC. See Appendix A for clarification from David Morgan.</p> <p>Cllr Savidge enquired as to whether there is a minimum amount for declaration</p>	NR/AN

		ACTION
	of gifts. It was stated that the Risk Register stated £25.	AN
9.	Any Other Business	
	None	
10.	Date and Time of Next Meeting	
	Friday 23 March 2007, 10.30am, Conference Room, EMRA	All

From: Linda Sperry [mailto:LSperry@leics.gov.uk]
Sent: 04 December 2006 09:37
To: Pamela Tunn
Cc: Pat Sartoris
Subject: FW: Data Protection

Thank you for your email. I have looked back through my old files. This issue was discussed at a meeting on 22 March this year involving yourself, Nigel, Pat Sartoris and me. I subsequently wrote to Nigel by letter of 27 March stating :-

"I will ensure that the County Council's registration is adequate or suitably amended to cover the work of the Assembly. The Data Protection Act 1998 does apply to unincorporated associations or individuals and you should therefore take any steps you think appropriate to obtain registration in your own name or that of the Assembly".

I have checked the County Council registration and I think it is wide enough to cover the activities of the Assembly; in particular, it refers to functions relating to planning, economic development and other initiatives.

The point behind the comment in my letter and in Geoff Bailey's report was that the Assembly should consider obtaining its own registration in preparation for further steps to be taken towards incorporation or some other legal route to ensure the Assembly's independence.

I hope the above is helpful.

David Morgan
Head of Legal Services

-----Original Message-----

From: Pamela Tunn [mailto:pamela.tunn@emra.gov.uk]
Sent: 22 November 2006 15:05
To: David Morgan
Cc: Nigel Rudd
Subject: Data Protection

David

Nigel has asked me to contact you regarding data protection. The corporate governance report which was prepared for the Assembly by Jeff Bailey recommended that the Assembly should be registered separately for data protection. Previously the Assembly was covered by the LGEM registration as accountable body and I would have thought that this would now have been included by Leicestershire. Do you have a view on this?

Thanks

Pamela Tunn