

# Public Document Pack

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## The Chair and Members of Joint Board

Please ask for	Donna Cairns
Direct Line	01246 345277
Fax	01246 345252

4 March 2015

Dear Councillor,

Please attend a meeting of the JOINT BOARD to be held on MONDAY, 16 MARCH 2015 at 10.30 am in Chamber Suite 2 at Bolsover District Council, the agenda for which is set out below.

## AGENDA

### Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 12)
  - Record of Decisions of the Joint Board held on 19 January, 2015.
  - Notes of the meeting of the Joint Board held on 19 January, 2015.
  - Draft notes of the Chief Executives meeting held on 19 February, 2015.
4. Internal Audit Consortium Progress Report 2014/15 and Draft Business Plan 2015/16 (Pages 13 - 22)

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Chief Executive  
*Huw Bowen*



5. Local Government Act 1972- Exclusion of the public

To move 'That under Regulation 21 (1)(b) of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972' on the grounds that it contains information relating to financial or business affairs and to consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority and employees of, or office holders under, the authority.

6. BCN Consultancy Update (Pages 23 - 56)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

# Agenda Item 3

## RECORD OF EXECUTIVE DECISIONS – JOINT WORKING

CBC:LEADER		Date of Decision 19.01.2015	
BDC: LEADER			
NEDDC:LEADER			
Title Reference: Minutes			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation Reference:	CBC: R080L BDC: NEDDC:
Report and background papers	Yes	Public <input checked="" type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency Special Urgency	N/A	Authorised By: N/A
Record of Decision:  That the notes and Record of Decisions of the Joint Board meeting held on 1 September 2014 be noted.			
Reasons for Decision:  To note progress on joint working.			
Alternative options considered and rejected (if any): N/A			
Declarations of interests: N/A			
Decision subject to call-in Yes Date of implementation if not called in: 27.01.2015			
Date Record Issued 20.1.2015 Contact Officer: Donna Cairns, Chesterfield Borough Council Donna.cairns@chesterfield.gov.uk			

CBC:LEADER		Date of Decision 19.01.2015	
BDC: LEADER			
NEDDC:LEADER			
Title Reference: Credit Union Financial Report and Business Plan			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation Reference:	CBC: R080L BDC: NEDDC:
Report and background papers	Yes	Public <input checked="" type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency Special Urgency	N/A	Authorised By: N/A
Record of Decision:  That the report be noted.			
Reasons for Decision:  To note progress on the Chesterfield and North East Derbyshire Credit Union.			
Alternative options considered and rejected (if any): N/A			
Declarations of interests: N/A			
Decision subject to call-in Yes Date of implementation if not called in: 27.01.2015			
Date Record Issued 20.1.2015 Contact Officer: Donna Cairns Chesterfield Borough Council Donna.cairns@chesterfield.gov.uk			

CBC:LEADER		Date of Decision 19.01.2015	
BDC: LEADER			
NEDDC:LEADER			
Title Reference: D2 Combined Authority			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation Reference:	CBC: R080L BDC: NEDDC:
Report and background papers	None	Public <input type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency Special Urgency	N/A	Authorised By: N/A
Record of Decision:  That the update be noted.			
Reasons for Decision:  To note the update on the D2 Combined Authority be noted.			
Alternative options considered and rejected (if any): N/A			
Declarations of interests: N/A			
Decision subject to call-in Yes Date of implementation if not called in: 27.01.2015			
Date Record Issued 20.1.2015 Contact Officer: Donna Cairns, Chesterfield Borough Council Donna.cairns@chesterfield.gov.uk			

## **Notes to Record of Decisions (Joint Working):**

### **CBC - CALL-IN REQUESTS**

*The implementation of certain decisions is suspended until the call-in period has expired without a call-in being validly invoked. Any Member of the Council shall be entitled to call for a decision to be suspended by giving notice to the Monitoring Officer either by telephone, fax, email or in writing **not later than 5.00 pm on the day following the date of the Joint Board meeting.** Any decisions so suspended shall not be capable of implementation for a period of **five calendar days** from the date of the Joint Board meeting. During the call-in period a request may be made in respect of any decision so suspended by not less than one quarter of the total membership of the Overview and Performance Scrutiny Committee. To do this you will need to notify the Monitoring Officer in writing, by fax or by email by 5.00 pm on the date being five days following the day of the Joint Board meeting.*

### **BDC - CALL-IN REQUESTS**

*The implementation of certain decisions is suspended until the call-in period has expired without a call-in being validly invoked. The call-in period is **five clear days** from the date of this decision notice. During the call-in period **at least two** members may request certain decisions to be called in. You may do this in any of the following ways - In writing - a written notice may be signed by one or more Members, • E mail - this may be done using a Members terminal within the Council Offices or where a member has the facility via the internet, • By fax - as with written notifications, the faxed message may contain the signature of more than one Member.*

### **NEDDC - CALL-IN REQUESTS**

*The implementation of certain decisions is suspended until the call-in period has expired without a call-in being validly invoked. The call-in period is **five working days** after the publication of this decision. During the call-in period the **Chair or Vice Chair together with three other members of any Overview and Scrutiny committee** may object to a decision and call it in.*

## **JOINT BOARD**

**Monday, 19th January, 2015**

Present:-

Chesterfield Borough Council (CBC)  
Councillor J Burrows  
H Bowen  
D Cairns

Bolsover District Council (BDC)  
Councillor E Watts  
Councillor A Tomlinson  
W Lumley (BDC/NEDDC)

North East Derbyshire District Council  
Councillor Baxter

**1** **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS  
RELATING TO ITEMS ON THE AGENDA**

No declarations were made.

**2** **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Gilby and Hill.

**3** **MINUTES**

The notes and the Record of Decisions of the Joint Board meeting held on 1 September 2014 were noted.

**4** **CREDIT UNION FINANCIAL REPORT AND BUSINESS PLAN**

The Joint Board considered the financial report and the business plan of Chesterfield and North East Derbyshire Credit Union (CNEDCU).

It was noted that the credit union's position appeared to be more resilient and sustainable.

It was also noted that the credit union had exceeded its financial targets in the year up to September 2014. There had been an increase in demand for the Family Loan Scheme, through which local families had been supported with low cost loans totalling £620,000.

It was agreed that the credit union would be requested to provide further information on the 1% interest rate increase and the payment of member dividends.

**AGREED** – That the report be noted.

## **5 D2 COMBINED AUTHORITY (VERBAL DISCUSSION)**

The Chief Executives of BDC/NEDDC and CBC provided an update on the proposed establishment of the Derby and Derbyshire (D2) Combined Authority.

It was reported that the Sheffield City Region Combined Authority (SCR CA) had provided for consideration draft responses to the Legislative Reform Order consultation and the D2 Combined Authority consultation. A discussion took place on the wording of the draft responses and it was agreed that a collective response to the SCR CA would be sought also involving Derbyshire Dales District Council and Bassetlaw District Council.

**AGREED** – That the update be noted.



**JOINT WORKING CEO'S  
BOLSOVER, CHESTERFIELD AND NORTH EAST DERBYSHIRE  
DISTRICT COUNCILS**

Thursday 19 February 2015  
Committee Room G, North East Derbyshire District Council

Present

Wes Lumley (BDC/NEDDC)  
Huw Bowen (CBC)  
Steve Lee (NEDDC) – for item 2  
Karen Peck, Bill Furness, Clive Graham (Chesterfield and North East Derbyshire Credit Union) – for item 2

		Action
1.	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received on behalf of Jane Foley and Angela Grundy.</p>	
2.	<p><u>CHESTERFIELD AND NORTH EAST DERBYSHIRE CREDIT UNION UPDATE</u></p> <p>The Credit Union was steadily growing, having increased from 2000 members in April 2014 to now over 2700 members. They were also applying for permission to add “Your Community Bank” to their name, this should help with their identity and subsequently increase membership.</p> <p>They are also promoting payroll deductions by DCC and Derbyshire NHS, combined with the new website which allows Members to gain easier and quick access to the Credit Union.</p> <p>The Credit Union were currently operating with 1FTE and 6PTE staff, plus a team of 20-25 volunteers. 3 volunteers had recently left and gained full time employment following their time with the Credit Union. They also regularly had one work placement for a volunteer with learning difficulties as part of an agreement with MenCap, this was working well.</p> <p>Interest rates had increased to 3% per month in May 2014, this has made an improvement to income.</p> <p>A Junior Savers Scheme is now in operation, and is going from strength to strength, with 13 schools currently registered and a few to more joining in the near future.</p> <p style="text-align: right;"><b>Cont.</b></p>	

2.	<p><u>CHESTERFIELD AND NORTH EAST DERBYSHIRE CREDIT UNION UPDATE – CONTINUED</u></p> <p>The scheme has a Schools Co-ordinators which has been funded by DCC.</p> <p>The Family Loan Scheme was still growing and has lent out £784,222 to over 700 local families.</p> <p>Steve Lee gave an update on the SCR Ambition Programme, which commenced in January 2015. It was advised that Local Authorities wanted to support the Credit Unions and were arranging for the Back to Work Bonus to be paid to the young people through their local Credit Union.</p> <p>There were further discussions around the potential future risks of the Credit Union and also financial data.</p> <p>Karen thanked the Councils for their support and handed over a cheque to both authorities which covered 50% of the subordinated loan.</p> <p><b>AGREED that the update provided be noted.</b></p>	
3.	<p><u>NOTES OF THE MEETING HELD ON 24 April 2014 AND MATTERS ARISING</u></p> <p><b>AGREED that the Notes of the meeting held on 24 April 2014 be approved as a true and correct record.</b></p>	
4.	<p><u>DECISIONS OF JOINT BOARD HELD ON 19 JANUARY 2015</u></p> <p>1. Minutes of Previous Meeting 2. Credit Union Financial Report and Business Plan 3. D2 Combined Authority</p> <p><b>AGREED that the Decisions of the Joint Board held on 19 January 2015 be noted.</b></p>	
5.	<p><u>NOTES OF JOINT BOARD HELD ON 19 JANUARY 2015 AND MATTERS ARISING</u></p> <p><b>AGREED that the Notes of the Joint Board held on 19 January 2015 be received.</b></p>	

6.	<p><u>JOINT WORKING PROJECTS UPDATE</u></p> <p><i>Building Control</i> – a County-wide option was being considered, with a business case for the next financial year being put together. Business Plan also being developed.</p> <p><i>Audit</i> – Business Plan being developed.</p>	
7.	<p><u>ITEMS FOR JOINT BOARD</u></p> <p>Proposals for Derbyshire Wide Building Control Service  BCN – Business Plan  Internal Audit – Business Plan  SCR and D2 Combined Authorities / LEPS</p>	
8.	<p><u>COMMUNICATIONS</u></p> <p>Suggest article on SCR Ambition Programme and Talent Match Programme. Scrutiny also to be considered.</p>	
9.	<p><u>ANY OTHER BUSINESS</u></p> <p>None.</p>	
10.	<p><u>DATE OF NEXT MEETING</u></p> <p>16 April 2015 – 1000 hours – CBC</p>	

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## For Publication

### INTERNAL AUDIT CONSORTIUM

#### INTERNAL AUDIT CONSORTIUM PROGRESS REPORT 2014/15 AND DRAFT BUSINESS PLAN 2015/16

<b>MEETING:</b>	<b>JOINT BOARD</b>
<b>DATE:</b>	<b>16<sup>th</sup> March 2015</b>
<b>REPORT BY:</b>	<b>INTERIM HEAD OF INTERNAL AUDIT CONSORTIUM</b>
<b>For Publication</b>	
<b>Back Ground Papers:</b>	<b>Consortium Budget Working Papers</b>

#### **1.0 PURPOSE OF THE REPORT**

- 1.1** To update the Joint Board on the progress made by the Internal Audit Consortium during the period April 2014 – January 2015.
- 1.2** To provide an update on the business plan (budget) for the Consortium for 2014/15 and to seek approval for the revised 2014/15 business plan and draft business plan for 2015/16.

#### **2.0 RECOMMENDATIONS**

- 2.1** That the progress made by the Internal Audit Consortium be noted.
- 2.2** That the revised Business Plan (budget) for 2014/15 and the draft Internal Audit Consortium Business Plan (and associated charges) for 2015/16, based on Appendix 1, be approved.
- 2.3** That the accumulated surplus of the Internal Audit Consortium at the 31<sup>st</sup> March 2015 (less £50,000) be distributed to the partner authorities. That £50,000 be held as a working balance and to fund any possible changes as a result of the review of the Internal Audit Consortium's staffing structure and to support the next stage of implementation of the Derbyshire wide review of internal audit.

- 2.4 That an annual report on the outcome of the operation of the Internal Audit Consortium for 2014/15 be submitted to the Joint Board following the year-end.

### **3 SUMMARY OF PROGRESS**

#### **3.1 Future Developments**

- The external consultants' review of the options for joint working/shared services in respect of internal audit across Derbyshire has now been completed. The consultants have recommended moving towards a Derbyshire wide internal audit partnership. Finance Officers and Heads of Internal Audit are working together to review the options and viability in respect of progressing towards a partnership. Joint Board will be kept informed of progress in this matter.

#### **3.2 Staffing Issues**

- The Appeals and Regulatory Committee has met to discuss the Auditors' grievance appeal. The panel concluded that in relation to the auditors working above their job description there was insufficient evidence to uphold this grievance appeal point. In the light of these findings it is concluded that the balance retained by the Internal Audit Consortium in respect of a successful grading appeal is no longer required.
- The panel did however make recommendations in terms of reviewing all the internal audit job descriptions, working arrangements and mediation. A mediator from ACAS has now been appointed to undertake this exercise.
- The Deputy Head of the Internal Audit Consortium is still acting as the Interim Head of the Internal Audit Consortium and this arrangement has been extended until the 31<sup>st</sup> March 2015. Both client officers are of the view that a permanent solution needs to be put in place at the earliest opportunity with similar comments being received from the Audit Committee at one of the Council's concerned.
- One Auditor has been seconded to Accountancy to cover a period of adoption leave.
- One Auditor based at Bolsover District Council has left the Council for a promotion.
- The staffing structure of the Internal Audit Consortium is currently under consideration. It is therefore proposed that part of the £50,000 to be retained is used to fund any possible structural changes to the Consortium's arrangements as a result of the review.

**3.3** In respect of the 2015/16 Consortium Business Plan, the budget has been prepared assuming that the Consortium will operate with a FTE of 9.6. The Head of Internal Audit and Deputy Head posts have both been included.

### **3.4 Internal Audit Plans**

- Internal audit plans for 2014/15 were agreed with each Client Officer in March 2014. These were reported to and agreed by each Council's Audit Committee.
- Progress reports showing a summary of internal audit reports issued have been submitted to each Council's Audit Committee.
- A formal six monthly meeting has been held with each client officer to review progress and consider budget issues, as required under the Consortium Legal Agreement.
- An annual report was submitted to each Audit Committee at the end of 2013/14 summarising the audit work undertaken and giving an opinion on the control environment.

### **3.5 Working Procedures**

- An internal review of compliance with the Public Sector Internal Audit Standards was completed in 2013 and the review did not identify any significant areas of non-compliance. An Improvement plan was developed to address the relatively minor points arising that has now been implemented.
- A further improvement plan has been developed in order to maintain a process of continual improvement.

## **4.0 BUSINESS PLAN 2014/15 AND DRAFT 2015/16**

### **4.1 Business Plan 2014/15**

- The original business plan for 2014/15 was reported to and approved by the Joint Board on the 14th January 2014. The original business plan projected a break even position for the year (Appendix 1). It should be noted that the accumulated surplus of £117,490 at the previous year end (31/03/14) was retained by the Consortium pending a grading appeal by the Auditors and as a working balance (£30,000).
- The revised business plan based on the latest budget estimates now predicts a surplus of £20,660 will be achieved in 2014/15. The main reason for this is salary savings.

- The estimated accumulated surplus at the end of 2014/15 is therefore £138,150 (£117,490 + £20,660). It is proposed that £50,000 of this be retained by the Internal Audit Consortium as a working / contingency balance (to cover additional staffing resources in the event of any long term absence) and to fund any possible structural changes with the remainder of the accumulated surplus being distributed to the partner authorities in proportion to the allocation of charges.
- This would result in the following distribution based on the current estimates:

	£
Estimated Surplus at 31 <sup>st</sup> March 2015	138,150
Less Working Balance carried forward	50,000
	<u>88,150</u>
Proposed Distribution:	
Chesterfield (36.6%)	32,263
North East Derbyshire DC (31.8%)	28,032
Bolsover DC (31.6%)	27,855
	<u>88,150</u>

## 5.0 Business Plan 2015/16 (Draft)

- A draft business plan for the Consortium has been prepared for 2015/16 and the following two years (see Appendix 1). This business plan is based on the FTE of 9.6 posts. The Head of Internal Audit post and the Deputy Head of Internal Audit post have both been left in to allow some flexibility going forward. The draft initial budget also reflects provision for pay awards.
- For information, a summary of the charges made by the Consortium covering the period 2009/10 – 2014/15 (estimate) is shown in Appendix 2.
- The draft Business Plan for 2015/16 includes an income of £9,700 from Derbyshire Dales District Council for the continued provision of a management service.



## **6.0 RISK REGISTER**

### **6.1 Review of Consortium Risk Register**

The Business case for the internal audit consortium contained a risk register. This has been updated and is shown as Appendix 3.

## **7.0 RECOMMENDATIONS**

**7.1** That the progress made by the Internal Audit Consortium be noted.

**7.2** That the revised Business Plan (budget) for 2014/15 and the draft Internal Audit Consortium Business Plan (and associated charges) for 2015/16, based on Appendix 1, be approved.

**7.3** That the accumulated surplus of the Internal Audit Consortium at the 31<sup>st</sup> March 2015 (less £50,000) be distributed to the partner authorities. That £50,000 be held as a working balance and to fund any possible changes as a result of the review of the Internal Audit Consortium's staffing structure and to support the next stage of implementation of the Derbyshire wide review of internal audit.

**7.4** That an annual report on the outcome of the operation of the Internal Audit Consortium for 2014/15 be submitted to the Joint Board following the year-end.

## **8.0 REASONS FOR RECOMMENDATIONS**

**8.1** To enable members to be aware of the progress made by the Internal Audit Consortium.

**8.2** To enable the Consortium resource availability to be kept under review.

**8.3** To enable the partner authorities to budget for the Consortium charges for 2015/16.

**8.4** To inform members of the results of the eighth year of operation of the Internal Audit Consortium

**Jenny Williams**  
**Interim Head of Internal Audit Consortium**

For further information on this report, please contact Jenny Williams 01246 345468

Joint Board Decision

Officer Recommendation supported/not supported/modified as below:

Signed	Leader (or reserve) Bolsover District Council
Signed	Leader (or reserve) Chesterfield Borough Council
Signed Council	Leader (or reserve) North East Derbyshire District
Date	

## Appendix 1

<b>INTERNAL AUDIT CONSORTIUM BUSINESS PLAN 2014/15 TO 2017/18</b>					
	<b>2014/15</b>		<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
	<b>Original £</b>	<b>Revised £</b>	<b>Estimate £</b>	<b>Estimate £</b>	<b>Estimate £</b>
<b><u>Expenditure:</u></b>					
Employees	359,240	334,100	370,090	382,060	385,590
Transport	1,650	3,150	3,150	3,150	3,150
Supplies	1,430	1,930	1,930	1,930	1,930
Support Services	48,950	51,480	50,730	51,260	51,430
<b>Total Expenditure</b>	<b>411,270</b>	<b>390,660</b>	<b>425,900</b>	<b>438,400</b>	<b>442,100</b>
<b><u>Income:</u></b>					
Charges to CBC	146,910	146,910	152,210	156,750	158,060
Charges to NEDDC	127,630	127,630	132,230	136,180	137,320
Charges to BDC	126,830	126,830	131,410	135,320	136,470
Charges to Derbyshire Dales DC	9,600	9,600	9,700	9,800	9,900
Charges – other	300	350	350	350	350
<b>Total Income</b>	<b>411,270</b>	<b>411,320</b>	<b>425,900</b>	<b>438,400</b>	<b>442,100</b>
<b>Net surplus/(deficit) in year</b>	<b>0</b>	<b>20,660</b>	<b>0</b>	<b>0</b>	<b>0</b>
Net surplus/(deficit) b/fwd	30,000	117,490	50,000	50,000	50,000
<b>Net surplus/(deficit) c/fwd</b>	<b>30,000</b>	<b>138,150</b>	<b>0</b>	<b>0</b>	<b>0</b>
Less distribution of surplus	0	(88,150)			
Surplus balance carried forward	30,000	50,000			

## Appendix 2

### Internal Audit Consortium Charges 2009/10 – 2014/15

Charges to:	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15 (Est)	2014/15 (Rev)
	£	£	£	£	£	£	£
Chesterfield BC	164,097	166,914	158,824	158,286	158,286	146,910	146,910
North East Derbyshire DC	142,262	144,710	137,680	137,213	137,213	127,630	127,630
Bolsover DC	141,254	143,686	136,686	136,221	136,221	126,830	126,830
Derbyshire Dales DC						9,600	9,600
Charges - Other						300	300
	447,613	455,310	433,190	431,720	431,720	411,270	411,270
<b>Refund of Accumulated Surplus:</b>							
Chesterfield BC	11,209	13,340	8,148	0	0	0	32,263
North East Derbyshire DC	9,739	11,591	7,079	0	0	0	28,032
Bolsover DC	9,678	11,518	7,035	0	0	0	27,855
	30,626	36,449	22,262	0	0	0	88,150
	416,987	418,861	410,928	431,720	431,720	411,270	323,120

## Internal Audit Consortium Risk Register

<b>Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Residual Risk Score</b>	<b>Management of Risk</b>
Failure to Substantially complete the agreed audit plans	L (3)	H (4)	12	Monitoring and reporting of progress to client officers and Audit Committees.
Failure to undertake work to a satisfactory standard	L (2)	M (2)	4	All work subject to quality reviews by senior staff. Review of compliance with Public Sector Internal Audit Standards.
Insufficient financial resources to fund Consortium	L (2)	H (4)	8	Consortium agreement details procedure to be adopted.
Loss of data through IT failure	L (2)	M (3)	6	Data stored on each Councils network and subject to their back up and security procedures. Reports held on more than one network plus hard copy.
Changes to the Internal Audit Consortium's staffing arrangements	H (4)	M (3)	12	Monitoring and reporting of progress to client officers and Audit Committees.

Risk Score (On a scale of 1 to 5) (L= Low, M = Medium, H = High)

Risk Score of up to 9 acceptable 'green', between 10 and 15 monitor controls (amber), 16 or more, control improvements required (if possible).

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# Agenda Item 6

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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