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The Chair and Members of Standards
and Audit Committee

3 April 2015

Dear Councillor,

Please attend a meeting of the STANDARDS AND AUDIT COMMITTEE to be held on FRIDAY, 10 APRIL 2015 at 2.00 pm in Committee Room 2, Town Hall, Rose Hill, Chesterfield, 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 - 6)

To approve as a correct record the Minutes of the Standards and Audit Committee meeting held on 6 February 2015.

To ratify the formal decisions taken at the inquorate meeting held on 6 February 2015.

4. Chesterfield Borough Council Internal Audit Plan 2015/16 (Pages 7 - 18)
5. Summary of Internal Audit Reports Issued (Pages 19 - 22)

6. Anti-Social Behaviour, Crime and Policing Act 2014- Changes to the Constitution (Pages 23 - 26)

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

STANDARDS AND AUDIT COMMITTEE MEETING**Friday, 6th February, 2015**

Present:-

Councillor Mark Rayner (Chair)

Councillor Helen Elliott

Councillor Christine Brown (Brimington Parish Council)

*Matters dealt with under the Delegation Scheme.

The meeting was inquorate as less than three Chesterfield Borough Councillors attended. Any formal decision is subject to ratification by the next meeting of the Committee.**24 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Diouf and Councillor Dyke.

26 MINUTES**RESOLVED -**

That the minutes of the Standards and Audit Committee meeting held on 28 November, 2014 be approved as a true record.

27 CERTIFICATION OF CLAIMS AND RETURNS ANNUAL REPORT 2013/14

The Chief Finance Officer submitted a report presenting the External Auditor's Certification of Claims and Returns Annual Report for 2013/14.

Mr Lee Towers of KPMG attended the meeting to present the report.

***RESOLVED –**

That the Certification of Claims and Returns Annual Report for 2013/14 be received.

28 EXTERNAL AUDIT PLAN FOR 2014/15

The Chief Finance Officer submitted a report for Members to consider the External Audit Plan for 2013/14.

Mr Lee Towers of KPMG attended the meeting to present the plan.

The plan described how the External Auditor (KPMG) proposed to undertake the audit of the financial statements and the value for money conclusion for 2014/15.

***RESOLVED –**

That the External Audit Plan for 2013/14 be received.

29 ANNUAL GOVERNANCE STATEMENT ACTION PLAN

The Interim Head of Internal Audit Consortium submitted a report to provide an update on the progress in implementing the 2013/14 Annual Governance Statement Action Plan.

The Annual Governance Statement Action Plan was produced following a review of the Council's governance arrangements including the Code of Corporate Governance.

It was agreed that the progress in the Action Plan be monitored by the Corporate Management Team (Minute No. 4 (2014/15)).

***RESOLVED -**

That the report be noted.

30 SUMMARY OF INTERNAL AUDIT REPORTS ISSUED

The Interim Head of the Internal Consortium submitted a report summarising the Internal Audit reports issued for the period 8 November, 2014 to 16 January, 2015 in respect of reports issued relating to the 2014/15 internal audit plan.

***RESOLVED –**

That the report be noted.

31 TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGIES

The Chief Finance Officer submitted a report recommending for approval the Treasury Management Strategy Statement and the Annual Investment Strategy Statement for 2015/16.

The report outlined the key aims of the Chartered Institute of Public Finance and Accountancy (CIPFA) 'Code of Practice for Treasury Management in the Public Services', adopted by the Council in 2003. The Council was required to approve the Treasury Management and Investment Strategies and reaffirm its adoption of the Code before the start of each financial year.

The Treasury management Strategy Statement contained the following key sections:

- Treasury Limits and Prudential Indicators
- Borrowing strategy
- Debt Repayment and Minimum Revenue Provision Policy
- Debt Re-scheduling
- Annual Investment Strategy

Access to a wider range of investment instruments had been included for the in-house team.

***RESOLVED –**

That Full Council be recommended to:

- (i) affirm its adoption of CIPFA's Code of Practice on Treasury Management.
- (ii) approve the Treasury Management Strategy Statement and Annual Investment Strategy, including the Prudential Code Indicators and Minimum Revenue Provision Policy.

32 **RISK MANAGEMENT STRATEGY**

The Chief Finance Officer submitted a report on risk management developments during 2014/15 and to recommend for approval the updated Risk Management Policy, Strategy and Strategic Risk Register.

A review had been carried out during 2015/15 by the Council's insurers of the Council's risk management arrangements. The outcomes of the review were reflected in the updated Risk Management Strategy and the Strategic Risk Register.

***RESOLVED –**

- (1) That the progress made on developing the Council's approach to risk management during 2014/15 be noted.
- (2) That the Committee recommends that Full Council approve the Risk Management Policy, Strategy and Strategic Risk Register for 2015/16.

FOR PUBLICATION

CHESTERFIELD BOROUGH COUNCIL INTERNAL AUDIT PLAN 2015/16

MEETING: STANDARDS AND AUDIT
COMMITTEE

DATE: 10 April 2015

REPORT BY: INTERIM HEAD OF INTERNAL AUDIT
CONSORTIUM

1.0 PURPOSE OF REPORT

1.1 To present to Members for consideration and agreement the Internal Audit Plan for 2015/16.

2.0 RECOMMENDATION

2.1 That the Internal Audit Plan for 2015/16 be agreed.

3.0 BACKGROUND

3.1 A key requirement of the Public Sector Internal Audit Standards is that a periodic risk based plan should be prepared that is sufficiently flexible to reflect the changing risks and priorities of the organisation. The risk based plan should be fixed for a period of no longer than one year, should outline the assignments to be carried out, their respective priorities and the estimated resources needed.

3.2 The internal audit plan is linked to the Council's Corporate Plan in respect of its aim to provide value for money services. Audit reviews assess the controls and procedures in operation and make recommendations for improvement.

3.3 A note explaining the role, purpose and some of the terminology used in the internal audit plan is attached at Appendix 1.

3.4 An annual report summarising the outcome of the 2014/15 internal

audit plan will be presented to this Committee after the year-end.

4.0 **INTERNAL AUDIT PLAN 2015/16**

4.1 A summary of the internal audit plan for 2015/16 is shown below and the detailed plan is shown as Appendix 2.

Internal Audit Plan 2015/16

Summary	Audit Days
Main Financial Systems	201
Other Operational Audits	184
Computer / IT Related	25
Fraud and Corruption	30
Corporate / Cross Cutting	70
Location / Regularity	5
Special Investigations & Contingency	30
Audit Committee / Client Liaison	15
Grand Total	560

4.2 The plan has been prepared taking into account the following factors:-

- The organisational objectives and priorities;
- Local and national issues and risks;
- The requirement to produce an annual internal audit opinion;
- The organisations assurance framework;
- An update of the internal audit risk assessment exercise covering the financial control and other procedures subject to audit (See Appendix 1, Section 5 for further details);
- The Council's strategic risk register and
- The views of the Chief Financial Officer.

4.3 Resource availability has been based on the Consortium Business Plan for 2015/16. The plan allocates 560 days to Chesterfield Borough Council for 2015/16, this is the same allocation as in 2014/15.

4.4 There is no formula that can be used to establish the ideal number of audit days however the Chief Financial Officer and the Interim Head of the Internal Audit Consortium are confident that the reduced resource level is sufficient to be able to provide an opinion

on internal controls at the end of the year. A review of a number of other Council's internal audit plans also indicates that this is an acceptable coverage level.

- 4.5 A copy of the audit plan is provided to the Council's external auditor to assist in co-ordination of work programmes.
- 4.6 A copy of the three year audit plan covering the period 2013/14 – 2015/16 is attached for information as Appendix 3.

5.0 CONSIDERATIONS

- 5.1 Risk Management Issues – no formula exists that can be applied to determine internal audit coverage needs. However, as a guide, the minimum level of coverage is that required to give an annual evidence-based opinion on internal controls. The level of coverage provided by the proposed 2015/16 internal audit plan will be sufficient upon which to base an opinion.
- 5.2 Financial - the internal audit budget for 2015/16 has been approved by the Joint Board and includes a contingency to cover for any unforeseen circumstances.
- 5.3 Equalities – there are none arising from the contents of this report.

6.0 RECOMMENDATION

- 6.1 That the Internal Audit Plan for 2015/16 be agreed.

7.0 REASON FOR RECOMMENDATION

- 7.1 To comply with the Public Sector Internal Audit Standards and to determine the internal audit work plan for the year.

INTERIM HEAD OF INTERNAL AUDIT CONSORTIUM

INTERNAL AUDIT PLAN

BACKGROUND NOTE

1. **Definition of Internal Audit**

Internal Audit is defined in the Public Sector Internal Audit Standards as:

'... an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes'.

2. **The Purpose of Internal Audit**

Internal audit is not a substitute for management. It is the purpose of internal audit to assist and support management by appraising the arrangements and procedures established.

There is also a statutory requirement for internal audit in local government contained in The Accounts and Audit Regulations 2011 and also The Accounts and Audit Regulations 2015 that come in to force on the 1st April 2015. These regulations require the authority to maintain 'an adequate and effective system of internal audit of its accounting records and of its system of internal control'.

3. **The Difference Between Internal Audit and External Audit**

External audit is completely independent of the authority. The Council's external auditors are KPMG. Much of the external auditors' work is determined by statutory responsibilities. Internal audit's terms of reference are determined and approved by management.

However, there is nevertheless considerable scope for co-operation to avoid duplication of work and to make maximum use of audit resources. By reviewing the work of internal audit, external audit will be in a position to determine whether reliance can be placed on the work concerned.

4. **The Scope of Internal Audit Work**

One of the essential elements for effective internal auditing is that the internal auditor should adequately plan, control and record their work.

To determine priorities and to assist in the direction and control of audit work the internal auditor will prepare a plan based on a risk assessment.

The audit plan is divided into the following sections: -

- **Main Financial Systems**

This covers the fundamental accounting and income collection systems of the authority such as payroll, creditor payments, council tax etc. Most of these systems are reviewed on an annual basis due to their importance. External audit examines and places reliance on the work carried out.

- **Other Operational Audits**

Audits to be undertaken in services include reviewing the controls and procedures in place in areas such as markets and car park income.

- **IT Related**

Topics in this area of the plan include a review of network security and data protection.

- **Fraud and Corruption**

Audits specifically related to the prevention of fraud and corruption are covered in this area of the plan. An example includes the completion of fraud modules in respect of the main financial systems. It should be noted that a significant number of other audits include an anti-fraud element e.g. income audits.

- **Cross Cutting Issues**

This area of the plan includes audit subjects that cover all services or are corporate Issues. Examples include work on the Annual Governance Statement and procurement.

- **Special Investigations**

A contingency provision is included in the plan to cover the investigation of irregularities or cases of suspected fraud and other problems.

5. **Delivering the Internal Audit Service**

A three year strategic audit plan is compiled based on an internal audit risk assessment of auditable areas. This risk assessment takes into account the following factors:

- Materiality – the amount of funds passing through the system
- Control Environment / vulnerability – assessed level of control based on previous audit findings
- Sensitivity – profile of the system in relation to customer service
- Management concerns – any specific issues relating to the operation of the system e.g. Council's Strategic Risk Register

Using a scoring system, audits are then categorised as High, Medium or Low risk. This ranking is then used to compile the annual audit plan.

The areas of audit work set out in the agreed plan are split into individual audit assignments.

An audit assignment can involve:

- preparation of system notes and a review/analysis of system controls;

- extraction of background information;
- extraction and testing of sample transactions and controls;
- notes of interviews and meetings.

All work undertaken is recorded on detailed working papers. To ensure that all areas have been covered and appropriate conclusions reached, all working papers are independently reviewed.

A report on the findings and recommendations arising from the audit is sent to the appropriate Head of Service and to the Head of Finance (as Client Officer) at the conclusion of the audit. A response to the recommendations is requested within a set time.

A summary of internal audit reports issued each quarter is reported to the Standards and Audit Committee and an Annual Report is submitted after the end of the year detailing the outcome of the audits completed.

INTERNAL AUDIT CONSORTIUM			
CHESTERFIELD BOROUGH COUNCIL			
DRAFT INTERNAL AUDIT PLAN 2015/16			
Main Financial Systems	Ranking	Audit Days	
Main Accounting and Budgetary Control	H	18	
Bank Reconciliation	H	8	
Payroll	H	15	
Creditor Payments (Accounts Payable)	H	25	
Debtors (Accounts Receivable)	H	15	
Treasury Management – Loans	H	8	
Investment Portfolio	H	10	
Cash and Banking	H	15	
Council Tax	H	10	
Non Domestic Rates	H	15	
Housing / Council Tax Benefits	H	22	
Housing Rents	H	20	
Housing Repairs – Capital	H	10	
Housing Repairs	H	10	
Total		201	
Other Operational Audits			
Building Control Fees	M	10	
Business Continuity Planning	L	10	
Car Parks Income	H	25	
Contract Final Accounts	H	10	
Elections	L	10	
Gas Servicing	M	10	
Joint Crematorium	H	12	
Markets Income	H	15	
Pomegranate Theatre	M	12	
PPP Client Monitoring Procedures	L	15	
Property Repairs – Non Housing	M	15	
Refuse Collection - Domestic	M	10	
Stores	M	10	
VAT Procedures	M	8	
Winding Wheel	M	12	
Total		184	
Computer and IT Related			
PSN Compliance/Network Security	M	10	
Data Protection/FOI	M	15	
Total		25	

Cross Cutting Issues			
Brimington Parish Council	H	5	
Corporate Governance and Annual Governance Statement	H	30	
Financial Advice / Working Groups/Transformation Projects	H	35	
Total		70	
Fraud and Corruption			
Anti- Fraud and Corruption Strategy	H	5	
National Fraud Initiative	H	10	
Procurement	H	15	
Total		30	
Location / Regularity			
Petty Cash		5	
Total		5	
Contingency/Internal Audit Joint Working Review/Special Investigations		30	
Audit Committee / Client Officer Liaison		15	
Planned Total Days 2015/16		560	

Note: Ranking – H=High Risk, M=Medium and L= Low Risk (see appendix 1 paragraph 5).

CHESTERFIELD BOROUGH COUNCIL			
	Audit Days		
Main Financial Systems	2013/14 Revised	2014/15	2015/16
Main Accounting System and Budgetary Control	20	20	18
Bank Reconciliation	10	8	8
Payroll	25	25	15
Creditor Payments	25	25	25
Debtors	15	15	15
Treasury Management (Loans)	10	10	8
Investment Portfolio	10	10	10
Cash and Banking	15	15	15
Council Tax	15	15	10
Non Domestic Rates	20	15	15
Housing / Council Tax Benefit	25	22	22
Housing Rents	20	20	20
Housing Repairs	15	23	20
Housing Grants	12		
	237	223	201
Other Operational Audits			
Building Control Fees			10
Business Continuity Planning			10
Car Parks Income	22	25	25
Cemeteries	10		
Commercial / Industrial Property Rents		15	
Commercial Waste Income	10		
Community Assemblies		5	
Contract Final Accounts	9	10	10
Crematorium	12	12	12
EH Recycling Income and Credits	8		
Elections			10
Gas Servicing			10
Healthy Living Centre Income		13	

Other Operational Audits (Continued)	2013/14 Revised	2014/15	2015/16
Housing Choice Based Lettings	10		
Innovation Centres		12	
Insurances	12		
Local Searches	4		
Major / Minor Grants	10		
Markets Income	13	15	15
Museum/Revolution House		8	
OSD Gas Servicing	12		
Outdoor Facilities Income	12		
Pavements / Vicar Lane Income Share		10	
Pest Control Income	8		
Planning Fees	12		
PPP Client Monitoring Procedures			15
Property Repairs (Non Housing)			15
QPSC Income		15	
Rechargeable Works (Housing) / Leaseholder Charges	15		
Recruitment and Selection		10	
Refuse Collection - Domestic			10
Rent a Roof/Solar Panels		5	
Sale of Council Houses		10	
Section 106 Agreements	10		
Stores			10
Theatre Income	12		12
Tourist Information Centre		10	
Value Added Tax (VAT)			8
Winding Wheel Income	12		12
	213	175	184

	2013/14 Revised	2014/15	2015/16
IT Related			
Installation Review / Network Security / Disaster Recovery		10	10
Service Desk		12	
Data Protection / Freedom of Information	12		15
Internet Usage Monitoring	10		
Telephone System Monitoring	10		
	32	22	25
Fraud and Corruption			
Anti Fraud and Corruption Strategy			5
Fraud Modules		5	
Procurement	15	15	15
Register of Gifts and Hospitality			
Sale of Land and Property			
National Fraud Initiative	10		10
	25	20	30
Corporate / Cross Cutting Issues			
Performance Indicators			
Corporate / Annual Governance Statement	30	30	30
Risk Management	5		
Working Neighbourhood Grant			
Birmingham Parish Council	5	5	5
Financial Advice / Working Groups	10	15	35
	50	50	70
Location / Regularity			
Cash Floats	5	5	5
Inventories	5		
	10	5	5
Contingency			
Contingency/Special Investigations/Internal Audit Joint Working Review	50	50	30
	50	50	30
Audit Committee / Client Liaison	15	15	15
Grand Total	632	560	560

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FOR PUBLICATION

SUMMARY OF INTERNAL AUDIT REPORTS ISSUED

MEETING: **STANDARDS AND AUDIT COMMITTEE**

DATE: **10 APRIL 2015**

REPORT BY: **INTERIM HEAD OF INTERNAL AUDIT
CONSORTIUM**

WARD: **ALL**

COMMUNITY
ASSEMBLIES: **ALL**

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS:

TITLE: LOCATION:

1.0 **PURPOSE OF REPORT**

1.1 To present for members' information a summary of Internal Audit Reports issued during the period 17 January 2015 – 13 March 2015 in respect of reports issued relating to the 2014/15 internal audit plan.

2.0 **RECOMMENDATION**

2.1 That the report be noted.

3.0 **BACKGROUND**

3.1 The Public Sector Internal Audit Standards require that the Head of Internal Audit reports periodically to the Standards and Audit Committee in respect of performance against the audit plan. Significant risk and control issues should also be reported.

3.2 In preparing this report, no standard corporate issues (e.g. risk management, equalities) were considered relevant.

4.0 **SUMMARY OF REPORTS ISSUED**

- 4.1 Attached, as Appendix 1, is a summary of reports issued covering the period 7th January 2015 to 13th March 2015, for audits included in the 2014/15 internal audit plan.
- 4.2 The Appendix also shows for each report a summary of the scope and objectives of the audit, the overall conclusion of the audit and the number of recommendations made / agreed where a full response has been received.
- 4.3 The conclusion column of Appendix 1 gives an overall assessment of the reliability of the internal controls examined in accordance with the following classifications:

Control Level	Definition
Good	A few minor recommendations (if any).
Satisfactory	Minimal risk; a few areas identified where changes would be beneficial.
Marginal	A number of areas have been identified for improvement.
Unsatisfactory	Unacceptable risks identified, changes should be made.
Unsound	Major risks identified; fundamental improvements are required.

- 4.4 In respect of the audits being reported, it is confirmed that there were no issues arising relating to fraud that need to be brought to the Committee's attention.

5.0 **RECOMMENDATION**

- 5.1 That the report be noted.

6.0 **REASON FOR RECOMMENDATION**

- 6.1 To inform Members of the internal audit reports issued.

JENNY WILLIAMS
INTERIM HEAD OF INTERNAL AUDIT CONSORTIUM

Further information on this report can be obtained from Jenny Williams (Extension 5468)

Chesterfield Borough Council – Internal Audit Consortium

Report to Standards and Audit Committee

Summary of Internal Audit Reports Issued 2014/15 – Period 17th January 2015 – 13th March 2015

Report Ref No.	Report Title	Scope & Objectives	Overall Opinion	Date			Number of Recommendations	
				Report Issued	Response Due	Response Received	Made	Accepted
25	Payroll	To ensure that the key controls are in place and operating.	Satisfactory	21/01/2015	11/02/2015		6	Note 1
26	Procurement	To ensure that the Councils Financial Regulations and Standing Orders are adhered to.	Unsatisfactory	6/02/2015	27/02/2015	11/03/2015	4	4
27	Accounts Receivable	To ensure that invoices are raised promptly and that there are collection procedures in place	Good	6/02/2015	27/02/2015	N/A	0	0
28	Accounts Payable	To ensure that invoice payment and processing procedures are followed	Satisfactory	23/02/2015	16/03/2015		8	Note 2

Report Ref No.	Report Title	Scope & Objectives	Overall Opinion	Date			Number of Recommendations	
				Report Issued	Response Due	Response Received	Made	Accepted
29	Agresso FMS and Budgetary Control	To ensure that there are adequate controls and procedures in place	Good	3/03/2015	24/03/2015	N/A	0	0
30	Pavements Income	To ensure all income due is received in a timely manner	Good	9/03/2015	30/03/2015	N/A	0	0
31	Vicar Lane Income	To ensure all income due is received in a timely manner	Satisfactory	9/03/2015	30/03/2015	9/03/2015	1	1
32	Car Parks Income	To review and test the controls and procedures in place	Satisfactory	9/03/2015	30/03/2015	20/03/2015	6	6

Note 1 Response not received at time of writing Report

Note 2 Response not due at time of writing report

The main points arising in respect of the procurement audit were:-

The Council's Financial Regulations and Standing orders were not complied with in 19% of the cases sampled
 Managers require procurement training
 The procurement Strategy is out of date

FOR PUBLICATION

ANTI-SOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014 CONSEQUENTIAL CHANGES TO THE CONSTITUTION

MEETING: STANDARDS AND AUDIT COMMITTEE

DATE: 10 APRIL 2015

REPORT BY: SOLICITOR (LOCAL GOVERNMENT &
REGULATORY LAW MANAGER) & DEPUTY
MONITORING OFFICER

WARD: ALL

COMMUNITY ASSEMBLY: ALL

KEY DECISION NUMBER: 473

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS:

TITLE: (1) Anti-social Behaviour, Crime & Policing Act 2014	LOCATION: www.legislation.gov.uk
(2) Report to Cabinet on 24/03/2015 and Minutes	www.chesterfield.gov.uk

1.0 **PURPOSE OF REPORT**

- 1.1 To amend the Council's Constitution following changes introduced by the Anti-social Behaviour, Crime and Policing Act 2014 ("the 2014 Act").

2.0 **RECOMMENDATION**

2.1 That the appropriate amendments are made to the Council's Constitution in accordance with the delegations listed in Appendix B to the report that was approved by Cabinet on 24 March 2015.

3.0 **BACKGROUND**

3.1 On 24 March 2015, Cabinet received a report from the Acting Community Safety Officer regarding the Approval of the Anti-social Behaviour Policy 2015 – 2019. Within that report, was a list of new delegated powers (Appendix B to the report to Cabinet) which were proposed as a consequence of the changes introduced by the 2014 Act.

3.2 Appendix B of the report to Cabinet is appended to this report. At Cabinet Minute No. 216, it was resolved that the delegations listed in Appendix B be approved and that the appropriate amendments to the Council's Constitution be made.

3.3 At Council Minute No. 72, it was resolved that, in future, proposed amendments to the Constitution be approved by the Standards and Audit Committee, unless appropriate, or required by law, to be approved by full Council (or Leader or Cabinet).

4.0 **RECOMMENDATION**

4.1 That the appropriate amendments are made to the Council's Constitution in accordance with the delegations listed in Appendix B to the report that was approved by Cabinet on 24 March 2015.

5.0 **REASONS FOR RECOMMENDATION**

5.1 To ensure that the Council's Constitution is amended to include the delegated powers listed in Appendix B to the report that was approved by Cabinet on 24 March 2015.

STEPHEN OLIVER
SOLICITOR (LOCAL GOVERNMENT & REGULATORY LAW) &
DEPUTY MONITORING OFFICER

Further information on this Report can be obtained from Stephen Oliver, Solicitor (Local Government & Regulatory Law) & Deputy Monitoring Officer

ANTI-SOCIAL BEHAVIOUR DELEGATED POWERS

PORTFOLIO HOLDER – EXECUTIVE MEMBER FOR CUSTOMERS AND COMMUNITIES	
New Power	Proposed Delegation to:
Anti-social Behaviour, Crime and Policing Act 2014 – Part 1: Civil Injunctions. Application for a Civil Injunction (Non-housing related) and all associated powers including enforcement	Chief Executive, any Executive Director or the Local Government & Regulatory Law Team Manager
Anti-social Behaviour, Crime and Policing Act 2014 – Part 2: Criminal Behaviour Order. Application to a criminal court following conviction for any criminal offence prosecuted by or on behalf of the Council and all associated powers including an application for an interim order.	Chief Executive, any Executive Director or the Local Government and Regulatory Law Team Manager
Anti-social Behaviour, Crime and Policing Act 2014 – Part 4, Chapter 1: Community Protection Notices. Issuing a Community Protection Notice and all associated powers including taking remedial action, prosecuting for failure to comply and issuing fixed penalty notices	Chief Executive, any Executive Director, the Local Government and Regulatory Law Team Manager, the Environmental Health Manager, Housing Service Manager (Customer Division) or the Development and Growth Manager
Anti-social Behaviour, Crime and Policing Act 2014 – Part 4, Chapter 2: Public Spaces Protection Orders.	<ul style="list-style-type: none"> • Cabinet (for the power to make an order). • Chief Executive, any Executive Director or the Local Government and Regulatory Law Team Manager or the Environmental Health Manager (for all other associated powers including prosecuting for failure to comply and issuing fixed penalty notices).
Anti-social Behaviour, Crime and Policing Act 2014 – Part 4, Chapter 3: Closure of Premises associated with nuisance or disorder. Issuing a Closure Notice, making an application to the court for a Closure Order and all other associated powers	Chief Executive, any Executive Director or the Local Government and Regulatory Law Team Manager or the Environmental Health Manager

<p>Anti-social Behaviour, Crime and Policing Act 2014 – Part 6: Community Remedies and Response to Complaints about Anti-social Behaviour</p>	<ul style="list-style-type: none"> • Policy Manager (for the power to respond to consultations regarding the Community Remedy Document) • Policy Manager, Local Government and Regulatory Law Team Manager, Housing Service Manager (Customer Division) or Environmental Health Manager (for the power to act on behalf of the Council in deciding whether the threshold for an anti-social behaviour case review is met in any given case and the relevant review procedures and, if so, carrying out a review).
<p>PORTFOLIO HOLDER – EXECUTIVE MEMBER FOR HOUSING</p>	
<p>Anti-social Behaviour, Crime and Policing Act 2014 – Part 1: Civil Injunctions. Application for a Civil Injunction (Housing related) and all associated powers including enforcement</p>	<p>Chief Executive, any Executive Director or the Local Government & Regulatory Law Team Manager (and, in any case save for a without notice application, in consultation with the Housing Service Manager (Customer Division))</p>
<p>Anti-social Behaviour, Crime and Policing Act 2014 – Part 5: Recovery of Possession of Dwelling-houses on anti-social behaviour grounds.</p>	<ul style="list-style-type: none"> • Neighbourhoods Manager (for the power to issue and serve Notices of Seeking Possession) • Housing Service Manager (Customer Division) (for the power to conduct reviews and make decisions pursuant to the Absolute Ground for Possession for Anti-social Behaviour (Review Procedure) (England) Regulations 2014 • Local Government and Regulatory Law Team Manager (in consultation with the Housing Service Manager (Customer Division)) (for the power to commence possession proceedings and all other associated powers including the power to seek eviction)