

AUDIT AND GOVERNANCE PANEL.

Minutes of a remote meeting on 24 March 2021 at 10.00 a.m.

Present: Councillors Martin Dowey (Chair), Douglas Campbell, Alec Clark, Chris Cullen, Hugh Hunter, Lee Lyons, Helen Moonie and Arthur Spurling.

Attending: E. Howat, Chief Executive; D. Gillies, Director – Place; K Carr, Assistant Director – Place; T. Baulk, Head of Finance and ICT; C. Caves, Head of Legal, HR and Regulatory Services; W. Carlaw, Service Lead – Democratic Governance; T. Simpson, Service Lead – Corporate Accounting; L. Miller, Chief Internal Auditor; and J. McClure, Committee Services Lead Officer.

In Attendance: C. Balfourt and K. Watt, Deloitte LLP; and K. Braidwood and B. McDonnell, Ayrshire Roads Alliance (ARA).

Opening Remarks.

The Chair took the sederunt and confirmed that today's meeting was not open to the press and public, which was permissible under the COVID-19 legislation. He also confirmed to Members the procedures to conduct this meeting and that this meeting would be recorded for minuting purposes only.

1. Declarations of Interest.

There were no declarations of interest by Members in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Overnight Campervan Parking Trial Scheme 2021.

Reference was made to the Minutes of the Leadership Panel of 16 March 2021 (Page 2, paragraph 5) when the Panel had agreed

- (1) to approve the proposal for Ayrshire Roads Alliance to take the measures and conduct the trial scheme, as outlined in paragraphs 4.1 to 4.6 of the report, from April to September 2021 and, thereafter, report back to Leadership Panel with the results of the trial scheme and future recommendations; and
- (2) to agree that a Temporary Traffic Regulation Order (TRO) from 1 April to 30 September 2021 be promoted which would impose overnight restrictions along the Esplanade, Ayr and Louisa Drive and Harbour Street, Girvan.

The Panel was advised that the report had been the subject of a call-in ([issued](#)), details of which were outlined by Councillor Derek McCabe when he introduced and spoke to the call-in.

Questions were raised by Panel Members in relation to:-

- (a) why Blackburn car park had been chosen as a suitable site and whether consultation had been carried out on this; and the ARA Officer advised that this site had been chosen due to complaints from members of the public regarding campervans parking on the esplanade and nearby residential streets and that, as this was a trial only, consultation was not necessary, however, consultation with the public, Community Councils and Ward Members would be carried out when the outcome of the trial was known;
- (b) whether charging £5 per night would be undercutting local camp sites and detrimental to them and the ARA Officer advised that this charge was for overnight parking only and no facilities would be provided, therefore, the Council was not undercutting camp sites and that, by restricting the numbers of parking bays available for campervans, this would encourage campers to use camp sites;
- (c) why the Council was encouraging campervans to park when there had been complaints from members of the public regarding campervans parking at the esplanade; and the ARA Officer advised that the current TRO banned campervans from the shore front and that he had been requested to introduce a temporary measure to allow a limited number of campervans to park at Blackburn Car Park. The Member then enquired how successful enforcing the ban had been and the ARA Officer advised that the signage in the car parks highlighting that campervans were not permitted was not adequate, therefore, it was very difficult to enforce this ban and he had been asked to address these issues and encourage tourism to the area, with this trial scheme being his proposal;
- (d) whether the concerns from members of the public had been regarding campervans parking on the esplanade or on the nearby residential streets and the ARA Officer advised that the concerns were regarding parking on both the shore front and the residential streets, with many complaints received from residents who were unable to park on the street where they lived due to campervans being parked;
- (e) whether this was an urgent matter to ensure that the problems experienced in 2020 of an influx of campervans arriving at the shore front did not recur and would the temporary TRO resolve this matter; and the ARA Officer advised that it was hoped to have the temporary TRO in place before the summer season and that the temporary TRO should address the problems, however, he would monitor this during the trial period;
- (f) the consequences if this trial did not proceed and the ARA Officer advised that he expected to continue to receive complaints and would be required to explain to complainants why the ARA were not addressing the problems;
- (g) whether campervans could park outwith the designated bays to evade payment of the £5 fee and the ARA Officer advised that campervans would only be permitted to park in the designated bays and that anyone parking outwith these bays would be issued with a fixed penalty notice and, similarly, anyone parking in the bays who was not driving a campervan, would also be issued with a fixed penalty notice;

- (h) how the ARA would manage displacement and the ARA Officer advised that the temporary TRO would be in operation for the esplanade and Harbour Road, Girvan to prevent overnight parking and that most surrounding streets had parking restrictions, however, if further displacement was required, an additional temporary TRO could be made;
- (i) how many fixed penalty notices had been issued in 2020 and the ARA Officer advised that no fixed penalty notices had been issued in 2020 for overnight parking;
- (j) whether Blackburn car park would be closed to caravans and the ARA Officer advised that the definition of motor homes also included caravans, therefore, they could not be excluded from Blackburn car park; and the Member then enquired if barriers would be placed at Blackburn car park and the ARA Officer advised that it would be difficult and expensive to install barriers at the car park, however, this could be investigated;
- (k) why these restrictions were being put in place and the ARA Officer advised that these were standard conditions applied by most local authorities; and
- (l) regarding campervan owners dumping human waste in Girvan Harbour and down drains and the ARA Officer advised that the Harbour Master had investigated these claims and found no evidence that this had occurred.

A Member commented that, should this trial be successful, it would bring tourists to the area, move campervans from the esplanade to the designated area, increase revenue for the Council and reduce litter; and the ARA Officer advised that this was what the ARA was trying to achieve.

A further Member advised that the Community Council and local businesses in Girvan welcomed this scheme as this venture brought tourists to the area, reduced anti-social behaviour and reduced litter as most campervan owners were environmentally aware; and that they were happy for the consultation to take place following the trial when it would be known how successful the trial had been.

The Chair then outlined the options open to the Panel when considering this call-in.

Councillor Moonie, seconded by Councillor Clark moved that the Panel uphold the decision of the Leadership Panel.

By way of Amendment, Councillor Lyons, seconded by Councillor Hunter moved that the matter be referred back to the Leadership Panel with the recommendation that a 21 day consultation period be undertaken prior to the commencement of the Temporary Traffic Regulation Order.

Four Members voted for the Amendment and four for the Motion. The Chair then exercised his casting vote in favour of the Amendment and the Panel, following review

Decided: to refer this matter back to the Leadership Panel recommending that a 21 day consultation be carried out prior to the commencement of the Temporary Traffic Regulation Order.

3. **Minutes of Previous Meeting.**

The [Minutes](#) of the meeting of 24 February 2021 (issued) were submitted and approved.

4. **Action Log and Work Programme.**

There was submitted an update of the [Action Log and Work Programme](#) for this Panel (issued).

The Head of Finance and ICT provided the Panel with an update on the status of the Action Log and Work Programme advising

- (1) that of the three items on the Action Log, a Members' Briefing had been arranged in relation to item 1; item 2 had been completed; and item 3 would be completed when the outcome of the interviews was known; and
- (2) in relation to the Work Programme, these reports would be considered over the next few months.

The Panel

Decided: to note the current status of the Action Log and Work Programme.

External Audit Report

5. **Annual Audit Plan 2020/20.**

There was submitted a [report](#) (issued) of 18 March 2021 by the Head of Finance and ICT providing background to the presentation by Deloitte on the Annual Audit Plan.

K. Watt and C. Balfourt of Deloitte LLP provided an update to the Panel on the present position with the Annual Audit Plan and the key risk areas.

Following a question on whether Deloitte LLP worked in consultation with the Council's Internal Audit Service when considering "management override of controls", K. Watt advised that Deloitte LLP received all Internal Audit reports issued by the Internal Auditor and her team and that these were taken into account and they informed the work of Deloitte LLP.

A Member commented in relation to "wider scope requirements" when Deloitte LLP had outlined that the Council "remained at significant risk as robust long-term planning arrangements were not in place to ensure that the Council could manage its finances sustainably and deliver services effectively, identify issues and challenges early, and act on them promptly"; and the Member stated that the Council received a yearly budget and was working within financial constraints, therefore, it was difficult to plan for the long-term. K. Watt outlined that this applied to all public sector audits and noted the restraints and uncertainties of local government funding which had been taken into account when compiling the Annual Audit Plan. The Service Lead – Corporate Accounting further advised that the Council had a ten year financial strategy which was approved by Council in October 2019 which would be refreshed once the financial impact of the Covid-19 pandemic was clearer.

Having heard a Member outline that this Council took transformation very seriously and that, following transformation of services and the Management Team, a good Management Team was in place and that it was hoped the auditors recognised this, K. Watt advised that she had been in regular discussion with the Senior Management Team and that this had been recognised.

Following various comments from a Member on the impact on the valuation of property, plants and equipment; the condition of the Council's assets; and the lack of detail on assets provided to Members in Panel reports; the Service Lead – Corporate Accounting advised that The Royal Institute of Chartered Surveyors (RICS) had issued a practice alert, as a result of which valuers had identified a material valuation uncertainty at 31 March 2020 for most types of property valuation, with the practice alert being withdrawn in September 2020. Valuation reports at March 2020 had typically identified a need to consider potential impairments in future periods, and this year's valuations may reflect more significant movements. The Service Lead further advised that he had been in discussions with colleagues in Asset Management regarding the valuations they had reached; and outlined that the Council operated a rolling five-year programme for valuing assets; and that he would pass on comments to colleagues in Asset Management regarding the need for Members to be presented with robust reports.

The Panel, having considered the report,

Decided: to agree the 2020/21 Audit Plan, attached as Appendix 1 to the report.

Internal Audit Report

6. Proposed Internal Audit Plan 2021/22 (including Annual Review of Internal Audit Charter).

There was submitted a [report](#) (issued) of 12 March 2021 seeking approval of the proposed Internal Audit Plan for 2021/22.

Following a question from a Panel Member on whether the Chief Internal Auditor had experienced delays from Officers in their responses due to the Covid-19 Pandemic, the Chief Internal Auditor advised that she had experienced some delays in receiving responses which was to be expected in the current climate and she was working with services to schedule audit work at the most convenient time and hoped that all services would be back on track in the coming year.

Having heard a Member enquire if the Internal Audit Section had adequate staffing and resources, the Chief Internal Auditor updated the Panel on staff absences within her team which she outlined she would oversee and manage; that, in terms of the audit plan, she and her team provided a three-year plan to present a rolling programme as resources were finite and it was not possible to cover all risks and objectives in a single year; and that, as she could not presently visit Council premises, she was utilising self-assessment toolkits to address this problem.

The Panel, having considered the three-year rolling audit programme 2021/22 to 2023/24,

Decided: to approve the annual audit plan for 2021/22.