

CURRENT IMPLEMENTATION POSITION FOR LOW AND MEDIUM RISK RECOMMENDATIONS
ISSUED IN QUARTER 3 2017/18

RECOMMENDATIONS	INITIAL MANAGEMENT RESPONSE incl. PLANNED IMPLEMENTATION DATE (PID)	CURRENT STATE OF IMPLEMENTATION PER MANAGER
Collection of National Non-Domestic Rates – 2 November 2017		
NNDR write-offs greater than £1,000 should be authorised by the Head of Finance or his representative.	<p><i>Head of Finance / Exchequer Manager:</i> We are to undergo an internal review of our write-off arrangements and document a new policy as the existing arrangements are no longer appropriate in terms of the different levels of authorisation that now occur and the amounts involved. PID: January 2018</p>	Review undertaken and new delegated limits introduced chiefly that all Council tax debts over £1500 and Business Rates over £5000 are delegated to the Exchequer Manager.
Events Management – 31 January 2018		
On completion of the next extension or re-let of the two market contracts (whichever is the sooner), procedures should ensure that the both agreements are properly executed and signed originals duly lodged in the Document Store.	<p><i>Business Support Team Leader:</i> This will be completed when it is necessary as determined by the expiry of the current contract. PID: October 2019.</p>	No update on this situation – we will complete this action when we the re-let's take place (extensions took place prior to the Audit).

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<p>A retrospective review of stallholder statistics from the start of the general markets contract should be instituted to determine and recover the shortfall of income to the Council to date.</p>	<p><i>Business Support Team Leader:</i> I will undertake this review in due course to assess if income has been lost, and if appropriate whether it can be retrieved. PID: End of Q1 2018.</p>	<p>In depth analysis has been undertaken in conjunction with the Finance Team which has confirmed that there is a shortfall in the income due to the council. Further discussions are taking place to consider the viability of recovering these arrears and how that may impact on the future viability of the stallholders going forward. The recommendation is still outstanding but I anticipate that a decision will be made to recover or not in mid November and would look to have this closed off by end of November dependant on the outcome and actions arising from the final decision.</p>
<p>Measures should be taken to ensure that meetings with the contractor incorporate a review at least six-monthly to set the ongoing monthly instalment amounts to be billed in accordance with the general markets contract.</p>	<p><i>Business Support Team Leader:</i> The meetings already incorporate a review of stallholder numbers, but I will ensure that a record is kept, and that the stallholder numbers is reflected in what we charge the contractor. PID: End of Q1 2018.</p>	<p>Regular meetings are taking place with the contractor. Stallholder numbers are now accurately maintained.</p>

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Missing periodic returns on weekly stallholder numbers should be re-requested from the contractor. Procedures should ensure that all returns are submitted promptly by the contractor and retained for reference.	<i>Business Support Team Leader:</i> I will ensure that these numbers are kept and updated, and that the evidence of these is kept. PID: End of Q1 2018.	Contractor does not keep stall holder numbers after they have been submitted to WDC.
Periodic officer spot-checks on stallholder numbers should be undertaken and results logged.	<i>Business Support Team Leader:</i> I will ensure that a system is put in place to ensure that spot checks are completed going forward. PID: In place for end of Q1 2018.	Planned visits take place in a random pattern – this is an ongoing action point.
The status of the Operational Agreement as a true 'licence' document should be clarified with the aid of legal advice.	<i>Business Support Team Leader:</i> I will speak to legal to assess what the status is of the documents that relate to the Mop. PID: Q2 2018.	This recommendation is still outstanding but engagement with Legal Services has begun in order to get assurances of the status of the licence. There has been a delay in this due to diversion to major events over the Summer, but Legal Services have now been chased for a response which will now be progressed to full implementation which I would estimate to be by the end of November
An update on the management of Mop Fairs should be reported to Members, including deviations from the 2014 Executive resolution.	<i>Business Support Team Leader:</i> I will assess any deviations that have been made from the 2014 Executive resolution, and update management. PID: End of Q2 2018	Deviations were reported on from the 2017 event to management. No deviations will take place at the 2018 event.

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Any proposal to extend the opening time beyond 10.00pm on any Mop day in 2018 or 2019 should be submitted for Executive approval.	<i>Business Support Team Leader:</i> We have no plans to extend the opening time, but will ensure that the Operator only opens within the set hours. PID: Oct 2018.	No plans to extend the opening time. The Operator has been reminded to keep to the agreed opening times. This will be checked during the event.
Unless formally withdrawn in the meantime, the approved changes to the Mop licence under the 2014 Executive resolution should be revisited as part of the re-letting process for the Operational Agreement covering Mop Fairs in 2020 and beyond.	<i>Business Support Team Leader:</i> Any changes that are required to the 2014 Executive resolution will be revisited as part of the re-letting process. PID: Oct 2019.	Re-letting process not due to take place yet. No further updates to report.
Procedures should ensure that the financial security provisions of the Operational Agreement for the Mop Fairs (Clause 12) are complied with and retrievable copies kept of any bonds.	<i>Business Support Team Leader:</i> I will address any issues around the deposit or bond by Mop 2018. PID: Oct 2018.	Bond has been agreed with the Operator, and has been invoiced for this amount.

RECOMMENDATIONS	INITIAL MANAGEMENT RESPONSE incl. PLANNED IMPLEMENTATION DATE (PID)	CURRENT STATE OF IMPLEMENTATION PER MANAGER
<p>The Markets Policy should be revised to:</p> <ul style="list-style-type: none"> • update (or remove) the market operator contact details; • clarify the distinction between notice requirements under Section 37 and the Council rights of prohibition under Food Act 1984; • reinforce the one-month period of notice required under Section 37 and liability to summary conviction for an offence if flouted. 	<p><i>Business Support Team Leader:</i> I will ensure that these points are addressed with regards to the details and distinctions made within the Markets Policy, and correct these where applicable. PID: End of Q2 2018.</p>	<p>Operators details have been removed; The clarification on the points is as follows: Part III of the Food Act 1984 provides the modern legislative framework for the establishment and operation of markets. This legislation enables Warwick District Council to hold the weekly Retail Market in Kenilworth, the Autumn Markets and Yuletide Fayres in Leamington and monthly Farmers' Markets in Warwick and Leamington. Under Section 37 of The Local Government (Miscellaneous Provisions) Act 1982, any person or organisation intending to hold a temporary market or car boot sale within Warwick District must give notice to Warwick District Council. One month period can be enforced, but there have been no incidences of an offence taking place.</p>
<p>Appropriate publicity should be initiated for the Markets Policy following revision, including publication on the Council's website.</p>	<p><i>Business Support Team Leader:</i> I will ensure that the marketing of the District's Markets Policy is appropriate. PID: Q2 2018.</p>	<p>Market policy is now on the WDC website, which organisers of such events can be directed towards.</p>

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An update to the Scheme of Delegation should be sought to the effect that authority to determine applications for markets and exercise the Council's rights of prohibition under Part III of the Food Act 1984 are delegated to the Head Development Services.	<i>Business Support Team Leader:</i> I shall seek an update to the Scheme of Delegation. PID: Q2 2018.	Delegated responsibility to "Deal with applications from market operators for change of trade" already sits with the Head of Development Services. "Additional controls for temporary markets on Sundays" sits with the Head of Community Protection, which is an Environmental Health issue, so sits with the right delegated authority.
Licensing Services – 7 December 2017		
Policy documents should be reviewed to ensure that they remain current.	<i>Licensing Team Leader / Regulatory Manager:</i> Licensing Act 2003, Gambling Act 2005, Taxi Handbook and Street Trading Policies are all due to be formally reviewed in 2019. PID: 2019 All other policies will be reviewed accordingly. PID: July 2018	Gambling Act and Licensing Act policies have been review – LA2003 was approved by Council in August, Gambling Act will be presented to Council in November. Review of Taxi handbook is underway.

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Whilst physical income is still accepted, Reception and CST should be issued with reminders about the relevant coding of income.	<p><i>Licensing Team Leader:</i></p> <p>Reception and CST have been issued with Fee Information for 2018 that includes the licence name, fee and cost centre it should be allocated against. Conversations have taken place with Finance about improving the PARIS system, which is used for receipting income.</p> <p>PID: Complete but also on-going.</p>	On-going process. Monthly lists of vehicle fee information sent to reception. Updated animal licensing fees were provided when new cost codes were introduced.
Energy Management – 11 December 2017		
A procurement process compliant with the Code of Procurement Practice should be undertaken for the supply of biomass fuel.	<p><i>Contract Administrator M&E (IR):</i></p> <p>Revised contract arrangements, that are fully procurement compliant, will be in place by 31 March 2018.</p> <p>PID: April 2018</p>	Complete – procurement process undertaken using a framework and a contract to supply fuel for our biomass boilers has been in place since June 2018.
The contract register should be updated to reflect the existence of the Gazprom contract document.	<p><i>Contract Administrator M&E (IR):</i></p> <p>A copy of the contract has been scanned and retained by Assets and the contract register up dated.</p> <p>PID: Complete.</p>	Further update not required. Recommendation already implemented.

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The Harbury Lane Sports Pavilion should be connected to the building management system.	<i>Contract Administrator M&E (RJ):</i> We are currently obtaining quotes to assess if it will be cost effective to get the pavilion connected. A new Wi Fi connection would be required for the remote location. PID: April 2018	Not fully implemented – The controls have been installed at site. The delay is due to providing a stable comms. link. ICT had worked with BT to establish whether a landline facility was possible to site but this is not feasible due to the remote location. We are now due to complete with a mobile sim option. Expected completion 31/12/2018.
Training should be obtained by the Contract Administrators to ensure best use of the building management system is made.	<i>Interim Asset Manager:</i> Training has been booked for both CA's scheduled for end of January 2018. PID: February 2018	Training undertaken through Sertec in January 2018 so action is complete.
Actual meter readings should be taken and provided wherever possible.	<i>Business Administration Manager:</i> Procedures are being developed to ensure that meter readings are captured. PID: April 2018	100% implemented for gas usage through smart metering. New electrical contract with ESPO starts October 2018. Where the level of usage in corporate stock dictates Half Hour meters this is in place All other stock have an actual reading at least once a year and due to explore expansion of SMART meters with new provider.

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Correct recharges should be raised for the leaseholders of the flats at St Margaret's Shopping Centre.	<i>Business Administration Manager:</i> Bill payments have been moved to the correct cost centre and charges recorded to be apportioned to the leaseholders. PID: Completed.	Further update not required. Recommendation already implemented.
A formal sign up document should be implemented for Sayer Court that includes details of energy charges.	<i>Sustaining Tenancies Manager:</i> Legal Services have been contacted for advice. PID: April 2018.	A formal sign-up document will be implemented for Sayer Court that includes details of energy charges. This will be completed by the end of December 2019. The reason for the delay is that other priorities have taken precedence and the issue regarding energy use at Sayer Court is complex and will involve three teams within Housing Services.

CURRENT IMPLEMENTATION POSITION FOR HIGH RISK RECOMMENDATIONS

ISSUED IN QUARTER 1 2018/19

RECOMMENDATIONS	INITIAL MANAGEMENT RESPONSE incl. PLANNED IMPLEMENTATION DATE (PID)	CURRENT STATE OF IMPLEMENTATION PER MANAGER
IT Governance: The Council's Compliance with General Data Protection Regulations – Follow-up – 22 May 2018		
The Council should document and implement a procedure for Data Protection Impact Assessments (DPIA).	<i>Information Governance Manager:</i> It is recognised this is a high priority and work is progressing on these. An officer working party has now been established to work on these further to provide consistency. In addition to this the Democratic Services Manager is assisting with this as an interim position. PID: 23 May 2018	The Council has an adopted Privacy Impact Assessment toolkit which is available via the Information Governance section of the intranet. This has been communicated to all staff via a metacompliance message and the Information Governance Manager provided a short briefing on this to Managers Forum in September. A log for recording and reviewing all Data Privacy Impact Assessments will be produced and held by the Information Governance Manager.