

Findings, Risks and Recommendations

Summary of Key Control Issues and Risks

The key control issues (*and risks*) identified in the audit review are:

- The TDB Terms of Reference do not refer to some elements of the role and responsibility of the TDB as set out in the Government's Towns Fund Guidance at 4.10, such as undertaking Environmental Impact Assessments (EIAs) and complying with the Equality Act (*the TDB fail to meet the Government's requirements*).
- The role and responsibilities of the Lead Council acting as the Accountable Body (BCKLWN), as listed in the TDB Terms of Reference, do not refer to the Government requirement that the Lead Council undertake EIAs or Public Sector Equalities Duties, as per the Towns Fund Guidance at 4.10 (*the TDB fail to meet the Government's requirements*).
- The Towns Fund Guidance and Prospectus require that all tiers of local government should be represented on the TDB. However, the TDB does not include representatives from those local Parish Councils which lay within the Town Deal Boundary Map (*the TDB fail to meet the Government's requirements*).
- The Towns Fund Guidance says that it is important to ensure a balance of views are heard and to create opportunities for fresh perspectives and challenge, so membership could extend to those with other specific expertise, such as clean growth (4.9). However, only one of the local businesses has any connection to clean growth (*the TDB fail to meet the Government's requirements*).
- An Action Plan/Log is not used to record agreed actions arising from TDB meetings. From review of the TDB minutes, there is a lack of evidence of all actions being implemented (*Issues arising during TDB meetings are not identified and resolved*).
- From review of the TDB Board Members' declaration of interests, one Member's completed form could not be accessed, and another Member's declaration form was more than a year old. Under the Code Of Conduct, each Board Member is required to update their declaration of interests form on an annual basis. (*TDB Board Members declaration of interests are out of date*).
- On occasion, there is a delay of several months between the TDB Board Member completing their declaration of interests form and it being received by the Monitoring Officer (*TDB Board Members declaration of interests are out of date*).
- The TDB's Register of Member's Interests, as published on the Vision King's Lynn website, is out of date and has not been updated to reflect the current membership of the TDB (*TDB Board Members' declaration of interests is out of date*).
- Lack of evidence of gifts or hospitality being declared by TDB Board Members. Members are not required to submit an annual declaration relating to gifts and hospitality (*gifts and hospitality not being declared by Members*).
- A Register of Gifts & Hospitality for the TDB is not held, due to Members not declaring any gifts or hospitality (*no record maintained of gifts and hospitality offered or received by Members*).

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Summary of Key Recommendations

The following recommendations are made:

- The TDB's Terms of Reference should be updated to include all of the Government's requirements included in the Towns Fund Guidance, such as undertaking EIAs and complying with the Equality Act.
- The TDB's Terms of Reference relating to the role of the Lead Council and Accountable Body should be revised to include reference to undertaking EIAs and Public Sector Equalities Duties.
- In accordance with the Government's Towns Fund Guidance and Prospectus, the TDB should include representatives from those local Parish Councils which lay within the Town Deal Boundary.
- Consideration should be given to expanding the number and range of local businesses included as TDB Board Members and including at least one more business with experience in clean growth.
- An Action Log/Plan should be maintained recording all actions identified at TDB meetings; it should include the agreed action, the officer responsible, the due date and the date the action was implemented.
- All TDB Board Members should be required to submit a declaration of interests form on an annual basis to the Monitoring Officer.
- TDB Board Members should be reminded of the need to submit their completed declaration of interests form to the Monitoring Officer promptly so that their declaration of interests can be updated in a timely manner.
- The TDB's Register of Members' Interests should be updated.
- A Register of Gifts & Hospitality for the TDB should be maintained by the Monitoring Officer.

Findings, Risks and Recommendations

Rec. no.	Finding / Risk	Recommendation
1.	<p><u>Finding</u> The Towns Fund Guidance, published in June 2020, details the set-up requirements set by Government. Paragraphs 4.5-4.14 detail the requirements for “Running a Town Deal Board”. It states that the TDB is responsible for producing the Town Investment Plan (TIP), putting forward suitable projects which align with the objectives of the Towns Fund, and for overseeing compliance with the Heads of Terms Agreement with Government.</p> <p>It is noted that the TDB Terms of Reference does not refer to the following which are included as part of the role and responsibility of the TDB in the Towns Fund Guidance (paragraph 4.10):</p> <ul style="list-style-type: none"> • embedding arrangements in local plans and undertaking Environmental Impact Assessments and fulfilling duties on public authorities under the Equalities Act, in particular, and the public sector equality duty; • ensuring communities voices are involved in shaping design and decision making; • ensuring diversity in its engagement with local communities and businesses. <p><u>Risk</u> The TDB fails to meet the Government’s set up requirements.</p>	<p>The TDB’s Terms of Reference should be revised to include the following (as per the Towns Fund Guidance issued by Government):</p> <ul style="list-style-type: none"> • embedding arrangements in local plans; • undertaking Environmental Impact Assessments; • fulfilling duties on public authorities under the Equalities Act and the public sector equality duty; • ensuring local communities are involved in shaping design and decision making at each phase of development; • ensuring diversity in its engagement with local communities and businesses.
2.	<p><u>Finding</u> The role and responsibilities of the Lead Council acting as the Accountable Body (BCKLWN), as listed in the TDB Terms of Reference, do not refer to the Government requirement that the Lead Council undertake any required Environmental Impact Assessments or Public Sector Equalities Duties (as per the Towns Fund Guidance, paragraph 4.10).</p> <p><u>Risk</u> The TDB fails to meet the Government’s set up requirements.</p>	<p>The TDB’s Terms of Reference relating to the role of the Lead Council and Accountable Body should be revised to include reference to undertaking any required Environmental Impact Assessments and/or Public Sector Equalities Duties (as per the Towns Fund Guidance issued by Government, paragraph 4.10).</p>

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3.	<p><u>Finding</u> The Government's Towns Fund Guidance and Prospectus require that all tiers of local government should be represented on the TDB. However, the TDB does not include representatives from those local Parish Councils which lay within the Town Deal Boundary Map.</p> <p>From review of the Town Deal Boundary Map posted on the Vision King's Lynn website, it is noted that the Town Deal Boundary covers an area larger than just the Non-Civil Parish of King's Lynn. It includes the Parishes of North Wootton, and at least parts of the Parishes of North Runcton, West Winch and Wiggshall St. Germans. The TDB Board membership includes representatives of local government from BCKLWN and NCC but does not include any representation from any of the local Parish Councils which lay within the Town Deal Boundary.</p> <p><u>Risk</u> The TDB fails to meet the Government's set up requirements.</p>	<p>In accordance with the Government's Towns Fund Guidance and Prospectus, the TDB should include representatives from those local Parish Councils which lay within the Town Deal Boundary.</p>
4.	<p><u>Finding</u> The Government's Towns Fund Guidance says that it is important to ensure a balance of views are heard and to create opportunities for fresh perspectives and challenge, so membership could extend to those with other specific expertise, such as clean growth (4.9).</p> <p>Of the original 18 local businesses included as members of the TDB, when it was set up in 2020, only one, Greenworld, could be said to have connections to the "clean growth" agenda. Currently, only four local businesses are represented on the TDB.</p> <p><u>Risk</u> The TDB fails to meet the Government's set up requirements.</p>	<p>Consideration should be given to expanding the number and range of local businesses included as TDB Board Members and including at least one more business with experience in clean growth.</p>
5.	<p><u>Finding</u></p>	<p>An Action Log/Plan should be maintained recording all actions identified at</p>

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	<p>Issues identified during the course of TDB meetings are recorded in the minutes. Where necessary, an action is recorded in the minutes (in bold) identifying the action required and the officer responsible for implementing the action. However, from review of the TDB minutes, it is noted that a due date by when the action should be implemented by is not included. Actions from previous meetings are recorded as Matters Arising in the minutes; an Action Plan/Log is not used to record agreed actions. From reading through the minutes, it is not clear whether all of the identified actions arising from previous meetings have actually been implemented.</p> <p><u>Risk</u> Issues arising during the course of TDB meetings are not identified and resolved.</p>	<p>TDB meetings. It should include the agreed action, the officer responsible, the due date and the date the action was implemented. This would make it easier to track the progress of agreed actions and ensure that all actions are implemented.</p>
6.	<p><u>Finding</u> From review of the TDB Board Members' declaration of interests on the Vision King's Lynn website, it was noted that the declaration form submitted by one Member could not be accessed, and another Member's declaration form was more than a year old. Under the Code Of Conduct, each Member of the TDB is required to update their declaration of interests form on an annual basis.</p> <p>Guidance for the completion of the declaration of interest form is contained within the form itself. Furthermore, members of the board have now been notified to contact the Monitoring Officer if they are unsure about the requirements of the form. The forms were based upon the Borough Council forms already in place (as per 2.19 of the Towns Fund Prospectus – November 2019)</p> <p><u>Risk</u> TDB Board Members declaration of interests on the Vision King's Lynn website are out of date.</p>	<p>All TDB Board Members should be required to submit a declaration of interests form on an annual basis to the Monitoring Officer.</p>
7.	<p><u>Finding</u> It is noted that on occasion there is a delay of several months between the TDB Board Member completing their declaration of interests form and it being received</p>	<p>TDB Board Members should be reminded of the need to submit their completed declaration of interests form to the Monitoring Officer promptly so that their declaration of interests on the Vision King's Lynn website can be</p>

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	<p>by the Monitoring Officer.</p> <p><u>Risk</u> Vision King's Lynn website is not updated in a timely manner with TDB Board Members' declaration of interests.</p>	updated in a timely manner.
8.	<p><u>Finding</u> The TDB's Register of Member's Interests, as published on the Vision King's Lynn website, is out of date and has not been updated to reflect the current membership of the TDB. The register records the date when the completed declaration form was received by the Monitoring Officer from each Member. The latest date on the register stated that a completed declaration of interest form was received on 11/12/20. IA notified the Monitoring Officer that the register is out of date, who then agreed to update the register for the current membership.</p> <p><u>Risk</u> TDB Board Members' declaration of interests are out of date.</p>	The TDB's Register of Members' Interests should be updated to reflect the current membership of the TDB.
9.	<p><u>Finding</u> There is no evidence of gifts or hospitality being declared by TDB Board Members since the inception of the Board. TDB Board Members are not currently required to submit an annual declaration relating to gifts and hospitality.</p> <p><u>Risk</u> TDB Board Members fail to notify the Monitoring Officer of any gifts or hospitality offered or received.</p>	TDB Board Members should be reminded of the requirement to inform the Monitoring Officer of any gifts or hospitality offered or received. To assist in raising awareness of the need to declare gifts and hospitality, the Monitoring Officer should require TDB Board Members to submit an annual declaration return relating to gifts and hospitality.
10.	<p><u>Finding</u> Discussion with the Monitoring Officer identified that the TDB does not have a Register of Gifts & Hospitality; one has not been set up because the Monitoring Officer has not received any notification from TDB Board Members of gifts or hospitality having been offered or received.</p>	A Register of Gifts & Hospitality for the TDB should be maintained by the Monitoring Officer.

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Rec. no.	Finding / Risk	Recommendation
	<u>Risk</u> No record maintained of gifts or hospitality received by TDB Board Members.	