

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Regeneration and Environment
2.	Date:	18 April 2011
3.	Title:	South Yorkshire Mining Advisory Service Governance Agreement & Report Affects all Wards
4.	Directorate:	Environment and Development Services

5. Summary

To advise about the need for updating the governance agreement for the South Yorkshire Mining Advisory Service and to request approval for the Council to enter the revised agreement with Barnsley and Doncaster Councils.

6. Recommendations

That approval be given for the Council to enter a revised governance agreement for the South Yorkshire Mining Advisory Service with Barnsley and Doncaster Councils.

7. Background, Proposals and Details

The South Yorkshire Mining Advisory Service (SYMAS) provides an “on tap” professional and timely range of services including mineral and stability reports, planning advice, vetting of Building Regulations applications, spoil tip inspections and help with subsidence claims.

The overall budget for this service provision for the 2011/2012 financial year is £184,197.00 which was approved in January by the Leaders of each council involved. This is apportioned between the 3 councils (Rotherham, Barnsley and Doncaster) according to the population of each borough. The rationale behind the agreement is that it is a cost-effective way for the Councils to carry out their statutory duties and obtain essential advisory and consultation services.

Rotherham’s contribution is £60,713.00 (33%). Within Rotherham this cost has been shared between the Highways Network Management Group (98%) and Building Control (2%) budgets. SYMAS is reliant on this funding for its existence.

Historically the average cost of SYMAS to Rotherham of £40/hr. Should the same level of service be sought outside the council it is anticipated that a cost of at least £60/hr which would mean that EDS would be approximately £30,000 worse off.

The current governance agreement has been in place since 1989. This agreement has become outdated and it does not fulfil the requirements of the 2003 Accounts and Audit Regulations:

- The Accounts and Audit Regulations 2003 (as amended) apply to the SYMAS as it is classed as a ‘smaller relevant body’ for the purpose of the Regulations.
- The decision to appoint an external auditor to SYMAS was taken on the basis that it is a Joint Committee of two or more local authorities. SYMAS is therefore subject to a limited assurance audit.
- The 2003 Regulations require a smaller relevant body to have separate accounts and audit arrangements. Consequently, SYMAS’s accounts are now separated from Barnsley Council's accounts.
- New governance arrangements are required, in order that the SYMAS complies with the requirements of the 2003 Regulations to have an annual return and external audit.

A new governance agreement has been drawn up to account for these changes.

SYMAS is held accountable through an annual report and annual general meeting involving officer representation from the three councils. The SYMAS budget is reviewed and approved by the South Yorkshire Leaders in accordance with the Leaders’ guidelines.

It is also proposed that the annual report is provided to Cabinet in order to demonstrate executive accountability.

The governance agreement has been drafted by legal officers from the three councils in consultation with lead officers and BMBC financial officers.

8. Finance

There are no direct financial implications arising from this report.

9. Risks and Uncertainties

At the time of writing this report, the agreement has been ratified by Barnsley Council but not yet by Doncaster Council.

The agreement has not yet been submitted to Doncaster members due to retirements and redundancies amongst relevant officers, however their legal team has approved the draft.

10. Policy and Performance Agenda Implications

None.

11. Background Papers and Consultation

Agreement for the provision of a Mining Advisory Service

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