

GOVERNANCE AND AUDIT COMMITTEE

Minutes of a meeting held at 7.00pm on Tuesday 22 November 2005

Present: Councillors Barbara Alexander (P), Jeff Brooks (P), Sue Farrant (P), Denise Gaines (P), Graham Jones (P), Andrew Rowles (P), and Emma Webster (P)

6. ELECTION OF CHAIRMAN AND VICE CHAIRMAN

RESOLVED: That Councillors Barbara Alexander and Jeff Brooks be elected Chairman and Vice Chairman respectively of the Committee for the remainder of the 2005/06 Municipal Year.

7. MINUTES

RESOLVED: That the Minutes of the meeting of the Governance and Audit Task Group held on 26 October 2005 be confirmed as a true and correct record.

8. DECLARATIONS OF INTEREST

There were no interests declared

9. CONTRACT RULES OF PROCEDURE

The Committee considered a report proposing various changes to the Council's Contract Rules of Procedure. Arising from a recent Internal Audit on the application of the Contract Rules of Procedure a number of changes were proposed. The changes arising from the report were highlighted in yellow with other changes relating to proposed tender thresholds being highlighted in green. Minor changes including formatting were highlighted in red.

In relation to Paragraph 12.6.6, the Committee considered that the words on the first line "with Member involvement" were too vague and that there should be a Protocol established to support member involvement in this process. In the interim it was agreed that Member involvement would involve the appropriate Portfolio Holder and Shadow Portfolio Holder. It was also agreed that both Officers and Members should be alerted to this change in process.

RESOLVED:

- (i) That Council be requested to approve the changes to the Council's Contract Rules of Procedure.
- (ii) That in relation to Paragraph 12.6.6 a Protocol be established to support Member involvement in this process.
- (iii) That, until the protocol is established and approved, the Portfolio and Shadow Portfolio Holders be involved as part of this process.

- (iv) That, all appropriate officers and Members be notified of the interim arrangements in relation to Contract Standing Orders.

10. STRATEGIC RISK REGISTER

The Committee considered a report setting out the Council's Strategic Risk Register for 2006/07 and the resulting action plan. Risk Management was an integral part of the Council's corporate governance framework. The focus of good risk management was the identification and handling of those risks.

During the course of discussing the report, Members made a number of changes to the Portfolio Holders. These were:

- 1.3 Geoff Findlay to be deleted and Emma Webster to be inserted.
- 1.6 Emma Webster to be removed and Geoff Findlay to be inserted.
- 3.7 Emma Webster to be removed and Anthony Stansfeld to be inserted.
- 4.1 Chair of ICT to be changed to Head of ICT.
- 4.2 Chair of ICT to be changed to Head of ICT.
- 4.3 Chair of ICT to be changed to Head of ICT.
- 4.4 Chair of ICT to be changed to Head of ICT.
- 4.5 Chair of ICT to be changed to Head of ICT.
- 6.3 Emma Webster to be inserted.
- 7.3 Graham Jones to be added.

RESOLVED: That the main strategic risks which face the Council and the proposed method of managing or controlling those risks be noted and approved.

11. FREQUENCY OF EXECUTIVE MEETINGS AND REPORT FORMAT

The Committee considered a report which proposed changing the Executive meeting cycle to every six weeks from monthly and to extend the individual decision making protocol in relation to the Council's Forward Plan to effect the change in meeting cycle. The report also suggested changes in the format of Executive reports.

The Committee was informed that in order to achieve a move to a six weekly Executive cycle it would be necessary to extend the individual decision making scheme to permit the Leader of the council to approve the Council's Forward Plan for publication. At the present time the Council was required by the Local Government Act 2000 to publish the Forward Plan for a four month period, beginning with the first day of each month covered. The Plan had to be published at least 14 days before coming into force.

In relation to the proposed six weekly cycle it was proposed not to commence this until March so that the budget process and meetings associated with this were not affected.

In relation the format of Executive reports it was proposed that where reports had to be more than three pages in length, an Executive Summary had to be provided. It was also proposed to introduce onto the front of reports a box which would remind authors to indicate when a report was not subject to call-in and the reasons for this.

RESOLVED:

- (i) That Council be requested to approve, with effect from February 2006, the Executive meeting moving to a six weekly cycle.
- (ii) That Council be requested to approve an extension to the individual decision making scheme permitting the Leader of the Council to approve the Council's Forward Plan for publication.
- (iii) That, where Executive reports have to be more than three pages in length, an Executive summary of no more than one page be produced with the full report forming an appendix.

(Note: The Liberal Democrat Members abstained from voting on this matter).

12. REVIEW OF THE COUNCIL'S SCRUTINY STRUCTURES

The Committee considered a report proposing changes to the Council's Scrutiny Structures. Attached to the report were the following documents:

- (i) Structure charts
- (ii) Articles and Rules of Procedure for the Overview and scrutiny Commission.
- (iii) Articles and Rules of Procedure for the Policy Development Commissions.
- (iv) Consequential changes to the Council's Constitution.

In addition to the above documents, a further list of proposed amendments was also circulated in advance of the meeting. The proposed amendments sought to provide clarity to a number of rules and also to pick up on some transcription errors.

It was proposed to:

- (i) Abolish the current four Select Committees.
- (ii) Abolish the Business Management Group and the Budget review Scrutiny Group.
- (iii) Establish an Overview and scrutiny Commission.
- (iv) Establish three Policy Development Commissions reporting to the Executive, aligned to the three main blocks of the Local Area Agreement of Children and Young People, Safer and Stronger Communities and Healthier Communities and Older People.

In relation to Paragraph 6.5.7 of the Overview and Scrutiny Rules of Procedure, it was suggested that the following wording replace that quoted in the draft Rules.

"The Commission will produce a report with their findings to the next meeting of the Executive (ie: the meeting following the call-in request) unless there are exceptional circumstances why this cannot be achieved. In these circumstances, the Chairman of the commission and the Leader of the Council will agree a revised timetable. The report will either confirm the original decision or propose amendments to it in any way it

thinks fit and shall give reasons for its final decision. If the Commission upholds the Executive decision, that decision shall take immediate effect.”

In relation to the proposed make up of the Overview and scrutiny Commission, the Committee was informed that the Proportionality Rules would need to be taken into consideration when constituting the Membership. Furthermore, the Local Authorities (Alternative Arrangements) (England) Regulations 2001 also required the Commission to integrate the four voting Education co-optees. These would therefore have an effect on the composition of the Committee.

The Leader of the Council reported that whilst accepting that the Proportionality Rules applied he was prepared to enter into a local agreement whereby he would be prepared to discount the four voting Education representatives when agreeing the composition of the Commission. In this regard he proposed that the Commission should comprise 12 Members. Under the Proportionality Rules, this would mean the Conservatives would be entitled (without taking into account the Education representatives) to seven seats with the Liberal Democrats being entitled to five seats. However, he was prepared, as part of this local agreement, to allocate one of his seats to the Liberal Democrats. He would then allocate his remaining 6 seats as he saw fit.

In relation to the Policy Development Commissions, it was proposed that these meet according to a work programme. It was also proposed that members of the Commissions would be involved in the Local Delivery Plan days for the LAA and in reviewing the LAA on an annual basis.

In relation to the number of Members to be appointed to the three Policy Development Commissions, the Leader of the Council proposed that each Commission comprise 8 Members which would mean under the Proportionality Rules that the Conservatives would be entitled to five seats and the Liberal Democrats three seats. In relation to this issue it was agreed that the two Group Leaders would continue to discuss this issue and agree a way forward in time for the Council meeting on 13 December.

RESOLVED: That the Council be requested to:

- (i) Abolish the four Select Committees.
- (ii) Abolish the Business Management Group and Budget Review Scrutiny Group.
- (iii) Introduce one Overview and Scrutiny Commission based on the Articles and Rules of Procedure attached as Appendix 2 including the revised wording for Paragraph 6.5.7.
- (iv) Introduce three Policy Development Commissions aligned to the Executive and based on the three main Local Area Agreement Blocks of Children and Young People, Safer and Stronger Communities and Healthier Communities and Older People, based on the Articles and Rules of Procedure attached as Appendix 3.
- (v) To approve the consequential changes set out in Appendix 4.
- (vi) To implement the changes with effect from 1 January 2006.
- (vii) To note the local agreement in place in relation to the political composition of the Overview and Scrutiny Commission
- (viii) To agree the political composition of the three Policy Development Commissions.

13. EXCLUSION OF THE PRESS AND THE PUBLIC

RESOLVED: That, in accordance with Paragraph 1 of Schedule 12A of the Local Government Act 1972, the press and the public be excluded from the meeting on the basis that the under-mentioned report contains exempt information.

14. POLICY AND PERFORMANCE RESTRUCTURE

The Committee considered an exempt report in relation to a restructure of the Policy and Performance Unit.

David: Anymore you wish to say!!

Chairman:

Date: