

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

GOVERNANCE AND ETHICS COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 19 APRIL 2021

Councillors Present: Adrian Abbs, Jeff Beck (Chairman), Jeremy Cottam (Vice-Chairman), Rick Jones, Tony Linden, Thomas Marino, David Marsh, Andy Moore and Claire Rowles

Also Present: Catalin Bogos (Performance Research Consultation Manager), Sarah Clarke (Service Director (Strategy and Governance)), Shannon Coleman-Slaughter (Chief Financial Accountant), Julie Gillhespey (Audit Manager), Richard Turner (Property Service Manager), Andy Walker (Head of Finance and Property), Barry Dickens (Parish Council Representative), Jane Langford (Parish Council Representative), Barrie Morris (Grant Thornton), David Johnson (Grant Thornton) and Linda Pye (Principal Policy Officer)

Apologies for inability to attend the meeting: Joseph Holmes, Councillor Geoff Mayes and Councillor Howard Woollaston

PART I

28 Minutes

The Minutes of the meeting held on 1 February 2021 were approved as a true and correct record and signed by the Chairman.

Councillors Rowles and Linden were not present at the previous meeting and therefore could not approve the accuracy of the minutes. It was agreed that the Chair's electronic signature would be inserted into the agreed minutes.

29 Declarations of Interest

There were no declarations of interest received.

30 Forward Plan

The Committee considered the Governance and Ethics Committee Forward Plan (Agenda Item 4).

Julie Gillhespey noted that the Forward Plan did not include internal audit updates after July 2021 and had asked Strategic Support to include the items in the future. Councillor Claire Rowles asked why there was no reference to September and November in the Forward Plan. Sarah Clarke, Service Director, Strategy & Governance, confirmed that she would ensure that the Forward Plan was fully populated and re-circulated.

RESOLVED that the Forward Plan be noted with the additional reference to fully populating and re-circulating the document.

31 Monitoring Officer's Annual Report to the Governance and Ethics Committee - 2020/21 (C3992)

The Committee considered a report (Agenda Item 5) which provided an update on local and national issues relating to ethical standards and to bring to the attention of Members any complaints or other problems within West Berkshire.

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It was recommended that the Annual Governance and Ethics Report be presented to Full Council.

Sarah Clarke, Service Director, Strategy & Governance, introduced the report which noted the work which had been undertaken over the past year and highlighted matters of significance. It had been agreed that the Monitoring Officer would produce an annual report following the introduction of the Localism Act 2011. The key points to note from the report were as follows:

- Thanks were offered to independent persons who had dealt with the complaints that had been received.
- Thanks were also given to the Parish Council representatives who had assisted the work of the Governance & Ethics Committee.
- Sarah Clarke thanked members of the Advisory Panel and the Parish Council representatives who had volunteered in the past year but who had not actually met in the current year. She confirmed that an advert had been circulated to all Parish Councils for further volunteers or expressions of interest to fulfil those roles in order to increase transparency.

Complaints

Members noted the significant increase in the number of complaints over the past year. However, a number of complaints related to each other, for example 16 complaints were connected to the same issues at a single Parish Council. None of the complaints to-date had been referred for investigation although one remained outstanding where the initial hearing had taken place but the decision notices had not yet been issued and that outcome would be updated by the time the report was considered at Full Council.

Other actions had been requested as follows:

- Training had been suggested in relation to one of the Parish Councillors in declaring an interest at the beginning of meetings.
- The Monitoring Officer had written to the Leaders of the political parties regarding Social Media use. Those e-mails had been issued on the 17 March 2021.
- A request had been made for additional training on the use of social media to be given to Members to improve outcomes and perception.

Gifts and Hospitality

Details of Officers' gifts and hospitality declared over the past year had been included in the report. However, there had been a reduction in gifts and hospitality received which was likely reflected in the altered circumstances in which Officers had found themselves working in since the onset of the Covid pandemic. No declarations of gifts and hospitality had been made by Members which, again, reflected the working at home circumstances that Members had adhered to in respect of Covid 19 guidelines.

Sarah Clarke concluded that, in general, despite the rise in complaints, standards of conduct remained high in the District.

Councillor Jeff Beck thanked Sarah Clarke for her summary of the report.

Councillor Claire Rowles asked if there was any mechanism in place to prompt Members to review and update their entry in the Register of Interest. Sarah Clarke stated it was her understanding that a reminder normally went out to Members around the time of Annual Council to ask them to review and update. Sarah Clarke confirmed that she would clarify whether this was the case and was happy to assist with ensuring this reminder was given. Councillor Rowles advised she had reviewed and updated her own interest though no prompt to do so had been forthcoming so was appreciative of Sarah Clarke's assistance with a formal reminder. Councillor Jeff Beck said that he had

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personally received a prompt to review and update the Register this year as he had done previously so could not account for Councillor Rowles' lack of prompt, however, if there had been any significant change to an individual's circumstances then it was the Member's responsibility to notify the Council of those changes.

RESOLVED that the report be noted and that it would be circulated to all Parish/Town Councils in the District for information.

32 Update Report - Review of the effectiveness of the Governance and Ethics Committee (GE4032)

Julie Gillhespey, Audit Manager, introduced the report (Agenda item 6) which was a follow-up to the report which had been presented in November 2020 around improving the effectiveness of the Committee for which the Committee had requested a number of amendments and clarification. The Terms of Reference had been extensively re-drafted and clarification of the time needed to cover some of the activities of the plan was given:

Terms of Reference - This now identified the frequency of activity – quarterly, annually or ad-hoc.

Action Plan - An end-date had now been included for each of the activities together with a progress update.

Training Schedule - This had been revised and allowed for additional training time with a recommendation for mandatory training for the first year and thereafter every four years or if and when Members requested a training re-fresh.

Councillor Jeff Beck thanked Julie Gillhespey for her summary of the report.

Councillor Rick Jones said he had noted in the action plan that a training plan was being produced and queried when this would commence. Julie Gillhespey confirmed that dates had not yet been set but it was hoped additional training would commence this year.

With regard to the skills survey, Councillor Rick Jones asked whether the results had been published. Julie Gillhespey responded that the results had been included in the initial report but had not yet been refreshed.

Councillor Rick Jones noted that a number of the work in progress items were timed for completion in the summer of 2021 but had not seen reference made to them in the Forward Plan for the corresponding dates in terms of anticipated progress. Julie Gillhespey said, following the recommendation, it was intended to update this progress to the Committee and Full Council in the Annual Report along with an update on the external Auditors report.

RESOLVED that the report be noted.

33 Revised Audit Findings for West Berkshire Council - Financial Year Ended 31 March 2020 (GE3934a)

Shannon Coleman-Slaughter presented the report (Agenda item 7). This was a covering report presenting the external auditor's revised audit findings on the Council's 2019/20 accounts. The key element of the report was around the section related to a material adjustment of £4.4 million to the Council's financial statements in respect of the pension reserve.

Barrie Morris, Key Audit Partner and David Johnson, Audit Manager from Grant Thornton summarised the revised audit plan as set out in the accompanying appendix to the report.

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Mr Morris advised that revisions to the audit report were in light blue for ease of reference from the original report presented in February 2021. The report set out the remaining outstanding areas but all of the work of the external auditors had now been completed subject to the receipt of the updated Pension Fund auditor (Deloitte) letter of assurance.

Under guidance from the National Audit Office an agreement was in place for the external auditor to place assurance upon the work of the Pension Fund auditor, as such the external auditor would not be issuing their audit opinion on the Council's accounts until receipt of the letter of assurance indicating that there were no outstanding matters which would impact upon that opinion. Grant Thornton had been in liaison with Deloitte over recent months who had confirmed they were hoping to review the letter on 26 April 2021, following which the letter of assurance was imminently expected. Subject to no new issues being identified within the letter of assurance, Grant Thornton would be in a position to issue their audit opinion as soon as practicable thereafter.

Barrie Morris drew Members' attention to the final fees charged for the audit and provision of non-audit services which showed an additional charge of £14,250 in respect to the additional cost arising out of Covid-19. This reflected the delays and inefficiencies caused as a result of auditing the accounts remotely. Mr Morris confirmed that no additional cost had been made as a result of the delay of the Pension Fund letter. The total fee of £109,273 compared favourably to the previous year's fee of £119,773.

David Johnson summarised the key changes as a result of the Pension Fund liability:

- An adjustment of £1.7m to the balance sheet as a result of the adjustment from the Pension Fund auditor work.
- A letter of assurance had been provided by the Pension Fund auditor which had highlighted a number of issues, including:
 - Write-down of Pension Fund assets by approximately £31.5m. The Council's share of this was approximately 13% and based on the figures disclosed equated to an adjustment of £4.4m. The accounts had been adjusted for this error.
 - Variances in membership data numbers between those submitted to the actuary and the data held on the Altair membership data system. Work completed at the Council to confirm data provided to the pension fund had been undertaken and no issues had been identified.
 - A variance of £8.5m in contributions at a Pension Fund level.
 - A variance of £16.6m in benefits payable at a Pension Fund level.
 - The letter noted that work was still ongoing and that the auditors were seeking further explanation from the Pension Fund as to the reason for the variances. Grant Thornton had therefore requested that an updated letter of assurance be provided once this work had been completed which would be reviewed upon receipt.

Councillor Jeff Beck thanked David Johnson for his summary.

Councillor Tony Lindon raised his concern that this was the second time West Berkshire Council had been subject to delays with the Berkshire Pension Fund and asked whether there would be a meeting to finalise the accounts when everything had been signed off. The Chairman said a separate meeting would not be held but with Members' approval the sign-off would be undertaken by the Chairman and appropriate Officer as in previous years.

Councillor Jeremy Cottam asked whether an explanation for the variances would be forthcoming and what action would be taken to rectify the situation in order to prevent the same thing happening again. Shannon Coleman-Slaughter clarified that in respect of individual funds within Royal Berkshire she was not in a position to comment but the variances were to do with the asset values and the data and the assumptions that had

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been informed by issues the external auditors had found leading to a knock-on adjustment to the Council's accounts. David Johnson said the letter of assurance by Deloitte had been very specific that there had been an adjustment to the private equity fund which had been written-down by £31m. The letter had not given a detailed explanation as to why this was the case and he was not in a position to make any assumptions at this stage. Councillor Jeff Beck asked Andy Walker to consider writing to the Pension Fund auditor to request a broad explanation as to why the fund had been written down by £31m.

Councillor Jeremy Cottam queried the duplication of over-stating the investment property that was not taken into account, why this had happened and whether more direct procedures had been put in place to prevent this type of mistake happening again. Andy Walker offered reassurance that this area had been shored-up and would be stronger going forward to prevent a repeat of the same issue in the future.

Councillor Adrian Abbs queried whether the decrease in the value of investment properties of £818k was accurate or whether it was significantly more, given the assessment was at level red indicating that the external auditors 'disagreed with the estimation process or judgements that underpinned the estimate and considered the estimate to be potentially materially misstated'. David Johnson said that in this case it had been noted that investment properties had been valued as single assets by the valuer which included both land and buildings. A comparison of this to the fixed asset register (FAR) identified that land and building had been split into separate entries. The value as per the FAR was agreed to the accounts and not to the valuer's report meaning the land value had been duplicated and therefore the accounts had been overstated by approximately £6.1m. This was a material misstatement and the Council had adjusted to recognise the correct value. As stated previously, the Council had addressed this area and implemented measures to ensure there was no repeat of the issue.

Councillor Adrian Abbs asked what was the actual write-down in terms of asset value. David Johnson confirmed that the adjustment on the investment property asset was £6.1m for the duplicate of land from the draft accounts submitted. Barrie Morris clarified that the £818k represented the decrease in the value of the investment and then £6.1m had been identified as an error where the asset had been double-counted. The rationale for giving the red assessment was that the valuation had been done on both land and buildings together and would have been clearer had they been done separately.

Councillor Andy Moore said the risk register considered a high risk to be £1m but the figures around materiality as stated in the report were substantially higher than that. Therefore, was there a suggestion that a high risk category might be missed if materiality was actually not considered to be £1m. Barrie Morris said the materiality used by the auditors was an audit concept which asked how wrong did the accounts have to be before the users of the financial statements changed any of the decisions they might make on those financial statements. For example, in a highly volatile business, materiality might be set at 0.5% but in a much more stable business with low risk and low investor activity, materiality might be at a higher percentage. For the public-sector, the auditors had set a maximum of 2% for authorities the size and complexity of West Berkshire, however, for West Berkshire they had lowered that materiality to reflect some local specific issues such as issues and areas identified in the previous year's audit work to make sure the financial statements were as accurate as possible. This had led to an overall materiality of 1.5% which was £5.4m but then set a concept of performance materiality which was just over £4m which was 75% of materiality, indicating a risk-based approach so only a sample of items was tested within materiality and if an error was identified then an allowance was made to tolerate for items not tested that would fill up the gap between.

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Councillor Andy Moore asked what the auditor's understanding or judgement was of 'value for money'. Barrie Morris said the value for money work undertaken for the 2019/20 audit was to look at the high-level arrangements the Council had in place to make sure that value for money was likely to be achieved and to try and identify those areas of significant risk. What had been identified was that financial sustainability – making sure a robust budget process was in place and that savings plans were realistic and achievable – were appropriate, taking into account the pre-Covid era. Under new arrangements for the 2021 audit, following National Audit Office guidelines, whilst there would still be a focus around financial sustainability, there would also be specific queries around the governance of decision-making, i.e. was there appropriate information provided to ensure that Members were able to take a well-informed view and were informed of all the facts, as well as appropriate financial assessments and legal advice undertaken. A further change would be to look at whether economy efficient and effectiveness was being achieved from the money being spent - i.e. how effectively was the Council bench-marking and delivering the cost and quality of its services in comparison to other Councils.

RESOLVED that delegated authority to sign the 2019/20 Financial Statements would be delegated to the Council's Executive Director for Resources (S151 Officer) and the Chair of the Governance & Ethics Committee, once the Council's appointed external auditors Grant Thornton had provided a formal opinion on the 2019/20 Financial Statements and in the absence of further material changes.

34 **Local Code of Corporate Governance (GE3955)**

The Committee considered the report (Agenda item 8) presented by Andy Walker on behalf of Joseph Holmes, Executive Director – Resources.

The Code of Corporate Governance detailed how the Council complied with the CIPFA/SOLACE (The Chartered Institute of Public Finance and Accountancy, ("CIPFA") and the Society of Local Authority Chief Executives ("SOLACE") framework for good governance and supported the principles of good governance contained within this.

The report concluded that the Council had strong measures in place at various levels of governance to ensure there was good governance across the Council.

RESOLVED that the Code of Corporate Governance be approved.

35 **Risk Management Strategy 2021-2024 (EX3952)**

Catalin Bogos, Performance and Risk Manager, presented the Risk Management Strategy (Agenda item 9) which set out the overarching framework for managing risk at the Council, the Council's risk appetite and the risk management objectives for the next three years. The recommendation was for the Committee to endorse the strategy ahead of its approval by the Executive on 29th April 2021.

Catalin Bogos advised Members that the current risk arrangements of the Council had been reviewed and consideration had been given to the best practice of the Treasury, the Government's finance function, the Institute of Risk Management as well as bench-marking against other local authorities.

The report highlighted the internal and external context within which the Council delivered its objectives which must be considered in order to ensure that the management of risk was effective.

Internal context

The significant points relating to the internal organisational context of risk management were the continuation of the three line of defence arrangements: the streamlined internal

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governance arrangements, the implementation of the organisational restructure Senior Management Review 2019 and a relative reduction of the financial pressures experienced before 2019/2020.

External context

The external context for the organisation was dominated by the materialisation of one of the highest risks on the National Risk Register – an influenza type pandemic. The long-term nature of the international crisis meant that the response period overlapped with the recovery stage. The response activities translated into immediate changes in working practices (e.g. significant levels of remote working). As more information emerged about the impact, it would inform the risk identification and assessment activities. In particular, special attention would be given to requirements to re-consider the existing/traditional controls and make any relevant re-adjustments.

Council Strategy 2019 – 2023, highlighted the strong social, economic and environmental features of the District. The focus of the Strategy was to build on these strengths and achieve further improvements. This was another important factor considered in defining the Council's risk management approach, including the risk appetite.

The report set out each stage of the risk management process and provided details about how each stage was delivered, following which relevant objectives had been set out for the next 3 years. Because a strong risk management culture existed within the Council, most of the objectives referred to a continuation – or further development – of current arrangements.

The full list of the objectives of the risk management strategy were contained within the report, however, significant changes made to planned objectives included:

- A slight increase to the risk appetite due to internal and external factors as outlined above, details of which had been provided in the report.
- The threshold on the risk management matrix had been adjusted between amber and red to a figure of 8 reflecting an increased risk appetite.
- Maintaining a risk aware culture through a common language, training and engagement, with a particular focus on the involvement of Councillors through more in-depth training.
- Support for the introduction of a controls assurance process, so that when risk registers were presented, assurance could be given that controls were in place and doing what they were supposed to be doing.

Councillor Jeff Beck thanked Catalin Bogos for his summary of the report.

Councillor Jeff Beck referred to the Annual Governance Statement (AGS) which was approved annually by the Chief Executive and Leader of the Governance and Ethics Committee and queried this as there was no 'Leader' for the Governance and Ethics Committee. Catalin Bogos clarified this should read the Chief Executive, Leader of the Council and a representative from the Governance and Ethics Committee and that the report would be amended accordingly.

Councillor Jeremy Cottam asked how an increase in risk was arrived at and valued. Catalin Bogos said the table set out in 7.3 of the report provided the definitions which should be used when determining whether a risk would have a low, moderate, major or significant impact. When saying the Council had a higher appetite for risk this was in relation to the internal and external context of the organisation and the table showed the movement of threshold values for the impact of risks as follows:

Impact 3: £500k - £1m (was £250k - £1m)

Impact 2: £100k - £500k (was £50k - £250k)

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Impact 1: Less than £100k (was Less than £50k)

This meant that encouragement was given to decision-makers to manage risk at these levels without the need to escalate and put in additional controls and spend additional resource. In addition, the new risk matrix (page 114 of the report) showed the red, amber and green rating based on the above thresholds reflecting the increased risk appetite and tolerances. Catalin Bogos added that a key objective was that the training for the Committee and other Officers would focus on the technical matters of what these changes meant for the Council.

Councillor Rick Jones said he and other Members had felt the Council had been overly risk-adverse in the past so was supportive of this new direction and the training which would be given to understand how to arrive at, and manage, the new threshold values.

RESOLVED that the Governance and Ethic Committee endorsed the Risk Management Strategy and the associated risk appetite, and noted that the Executive would be asked to approve this Risk Management Strategy at their meeting on the 29th April 2021. This included a recommendation that Governance Boards would approve the risk appetite on new projects within their remit and Corporate Programme Board would have oversight of this.

36 Internal Audit Update Report (GE3894)

Julie Gillhespey provided Members with a summary of the Internal Audit Update Report (Agenda item 10) on the work carried out during quarter three of 2020/21.

Key findings of the report included the fact that three central audits had been finalised and given a weak opinion though this did not indicate a reduction in the control environment/processes generally. The key findings for the weak opinions were detailed in the report and related to Early Years Grant, Deprivation of Liberty Safeguards and the Digitalisation Agenda.

Appendix A of the report listed the completed audits carried out to the end of December 2020 and work in progress was detailed in Appendix B.

Following a request by the Committee at the meeting in November 2019, two follow-up reviews had been carried out – for the implementation of the Property Database and the Asset Management Strategy/Plan as these had both been given an unsatisfactory opinion. Unfortunately, in both cases the second stage follow-up concluded that progress to implement the agreed recommendations was still unsatisfactory. Richard Turner, Property Services Manager, provided further detail on the findings of the two internal audits which were rated unsatisfactory following second stage follow-up reviews:

Property Database

This database contained all of the built and land assets of the Council and a key element of the audit findings had been around the database being updated. Historically there had been recruitment and retention issues for the post which had now been resolved. This stability was already showing dividends in that the database had now been fully updated which allowed the remaining actions to be progressed with a plan to be concluded in summer 2021.

Asset Management Strategy/Plan

A temporary resource had been recruited in January 2021 to specifically deal with the findings of this audit and a series of actions was being progressed that should be concluded within the current financial year.

Councillor Jeff Beck thanked Julie Gillhespey and Richard Turner for their update.

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Councillor Tony Linden asked whether a further update would be provided to ensure that the progress being made was continuing as expected. Julie Gillhespey said, barring any loss to the recruited posts, she did not feel a further update was necessary as she had been provided with a detailed response in terms of timeframes for completion of the outstanding recommendations by Richard Turner.

Councillor Jeremy Cottam expressed his concern that the overall opinion following the audit of Deprivation of Liberty Safeguards had been weak given this related to individuals in care homes and other vulnerable persons. Julie Gillhespey said within Adult Social Care, annual reviews took place both for Deprivation of Liberty Safeguards and a review of the provision of social care carried out by social care practitioners. A further review of Deprivation of Liberty Safeguards would depend on how long the audit had been signed-off for. There was a national issue with regard to local authorities meeting the timeframes and a revision to the DoLS legislation was being made to acknowledge the need to streamline the process to make it less labour-intensive. Julie Gillhespey said the review did not identify any operational issues in terms of assessments not being carried out, but had been more of an oversight in relation to areas like performance targets but added that a follow-up review would be carried out. Julie Gillhespey further reassured that all three audits that had resulted in weak opinions would be subject to a follow-up review, usually within six months of the report being finalised.

RESOLVED that the report be noted.

37 Internal Audit Plan 2021-2024 (GE3895)

Julie Gillhespey introduced the proposed Internal Audit Plan (Agenda item 11) for the three year period from 2021/22 to 2023/24. The report set out the change to the Internal Audit Charter (Appendix A) showing a change to the reporting line to Strategic Support and set out the title, type and method of audits to be carried out over the next three years.

Councillor Andy Moore asked whether the team was adequately resourced to deliver the substantial audit plan over the next three years. Julie Gillhespey said the team had been increased in the last year by one member to a total of five staff members and she was confident this provided the right resource coverage to carry out the works in the audit plan.

Councillor Claire Rowles highlighted that the report stated an external review of the internal audit team was required every five years to ensure the team complied with the professional practices of internal audit as stated in the PSIAS. Councillor Rowles queried whether the five year period of time should be shortened in order to ensure, for instance, that adequate staffing levels remained in place to carry out the works of the internal plan. Julie Gillhespey responded that the five year period complied with PSIAS guidance but that an annual review of the team's effectiveness should also be carried out. A detailed external review had taken place in 2018 which had been reported on in 2020. This report had highlighted areas that required improvement by the team which was now subject to a programme of improvement as detailed in the report.

RESOLVED that the Proposed Audit Plan, the amended Internal Audit Charter and Internal Audit Reporting Protocol be approved.

38 Update on progress with Constitution Review (GE3986)

Councillor Jeff Beck firstly offered his profound thanks to the Officers and Members involved with this review, in particular to Councillor Graham Bridgman as Chairman of the Group, in recognition of the intensity and hard work required to undertake such a review.

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Sarah Clarke, Service Director, Strategy & Governance, provided the Committee with an update on progress being made with the Review of the Constitution (Agenda item 12). In July 2019, the Governance and Ethics Committee had approved a review of the Constitution with an ambitious timeframe for the review to be completed by December 2020. Sarah Clarke said that it had originally been intended to update parts of the Constitution in a piecemeal fashion and bring them forward as they were completed. However, it became apparent that a more fundamental review of the Constitution was required, in part because the Constitution was comprised of 15 parts that had been reviewed on a rolling programme over many years which had resulted in various parts of the Constitution being duplicated as well as inconsistencies in the pattern of review. The review of the Constitution had therefore been delayed by work undertaken to resolve those issues as well as being temporarily interrupted by the snap General Election in late 2019. The work of the Group had also been paused for a period during the initial response phase to Covid-19, as Officers supporting the project were diverted to other matters.

The Task Group had, however, met on 11 occasions and a sample of work that had been completed and work that was planned was appended to the report. Sarah Clarke said that in addition to providing an update to Committee, the group was also seeking an endorsement of the new-look Constitution. In addition, there were some changes that would benefit from an earlier review, such as the process for allowing questions at meetings. These would therefore be brought forward with a view to proposed changes being considered at the July meeting of Council.

Councillor Jeremy Cottam said he believed there were Motions from Council that had been put forward as suggestions for changes to the Constitution and asked if there was an intention to include those changes. Sarah Clarke confirmed that those suggestions had been referred to the Task Group and the intention was that those matters that needed to be dealt with first would be picked up in the report to Council in July.

Councillor Andy Moore, a member of the Task Group, was reticent about the conclusion that good progress had been made, but acknowledged the reasons for the delays which had occurred. Councillor Moore felt an opportunity had been missed to do some useful work around the Budget meeting this year and hoped this would be sorted for next year and reported on to Council in July. Sarah Clarke advised that following the Budget meeting in March, it was proposed to timetable an additional Council meeting so that there would be a specific, single item meeting to deal with the Budget so that there would be more time in that meeting to enable Members to make comment.

Councillor Claire Rowles paid tribute to the Task Group and to Councillor Graham Bridgman for all their work on the review and asked when completion of the review was anticipated. Sarah Clarke said it was difficult at this stage to give a target date for completion, citing part 13 of the Constitution alone as a challenge, but felt work would gain pace once the form of the Constitution had been resolved. She clarified that any proposed changes to the Constitution would be put before the Governance and Ethics Committee first for approval before recommendation to full Council.

Councillor Tony Linden commented that the budget should be approved in one meeting, unless an emergency necessitated a further meeting and asked for clarification in relation to remote meetings.

Sarah Clarke said that in terms of the budget there was a definite deadline by which to approve the budget so that gave some constraint as to the length of those meetings. As such, there had been some discussion and consideration about changes required at budget meetings to give more time to debate which was what was being sought. In terms of remote meetings, a legal challenge was being heard in the High Court that week and although it was not known when a decision would be given, the Council's plan was

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likely to be a hybrid return to doing things differently to comply with Covid guidance as well as local government legislation.

Councillor Graham Bridgman thanked his fellow members of the Task Group and Officers for the work undertaken in the review. The intention was to pull together material spread across the Constitution into one place and take note of comments made about some processes, for example, the ability of the Council to guillotine a debate to prevent meetings from overrunning. Councillor Bridgman also proposed to add in a new form of close of debate as one criticism was that Members had moved to vote on certain items of the budget meeting which meant the seconder of the amendment that was voted upon did not get an opportunity to speak. The new form of close of debate meant that when Members moved to vote to close a debate it would allow the people who had not yet spoken, but had a right to speak under a normal debate, to be given the opportunity to do so.

Councillor Bridgman said there were sets of meeting rules in separate places which had all started out as saying the same thing but which had gradually changed meaning in different parts of Committees, Task Groups, Council and the Executive. It was hoped that the final document would be easier to navigate around, and make sense by not having conflict between different parts of the Constitution.

Parish Councillor Jane Langford queried whether it was realistic to aim for one Constitution document as in the American style where everything was written down and set in stone, given the UK's Constitution was contained within a plethora of precedents created through the Courts which might in fact be a more effective, workable and useful approach. Sarah Clarke said the production of one Constitution was required by law and hoped that the current tome would be reduced as a result of the removal of duplication. She said that in terms of managing meetings it was really important to have the rules of engagement very clearly stated in one place so that business could progress and people could understand how business was transacted. Councillor Graham Bridgman said this was less a Constitution, but more a set of rules to abide by when making decisions that could stand up in Court.

Councillor Rick Jones said he was pleased with the direction the review was going in and praised the work of the Task Group.

RESOLVED that the work of the Constitution Review Task Group be noted and the Committee endorsed the contents of this update report and approved in principle the format of the updated Constitution.

(The meeting commenced at 5.00pm and closed at 6.54pm)

CHAIRMAN

Date of Signature