

GOVERNANCE AND AUDIT COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 24 NOVEMBER 2014

Councillors Present: Peter Argyle, Paul Bryant, Richard Crumly (Substitute) (In place of Brian Bedwell), Sheila Ellison and Julian Swift-Hook (Vice-Chairman)

Also Present: Melanie Ellis (Chief Accountant (Strategy)) and David Holling (Head of Legal Services), Moira Fraser (Democratic and Electoral Services Manager)

Apologies for inability to attend the meeting: Councillor Brian Bedwell, Councillor Tony Linden and Councillor Geoff Mayes

PART I

14. Minutes

The Minutes of the meeting held on 01 September 2014 were approved as a true and correct record and signed by the Chairman.

15. Declarations of Interest

There were no declarations of interest received.

16. Changes to the Constitution - Parts 9 Budget and Policy Framework, 10 Finance Rules of Procedure and 12 Personnel Rules of Procedure (C2887)

The Committee considered a report (Agenda Item 4) concerning a review and amendments to Part 9 (Budget and Policy framework), Part 10 (Finance Rules of Procedure) and Part 12 (Personnel Rules of Procedure) in light of legislative changes, policy changes and recent government guidance.

David Holling in introducing the item noted that Finance and Governance Group had been tasked with undertaking an annual review of the Council's Constitution. The final tranche of amendments for the year were set out in the report to be considered by Members at that meeting.

Part 9 Budget and Policy Framework

The following minor changes to the document were proposed by the Finance and Governance Group:

- Inclusion of cross referencing to other Paragraphs and Parts of the Council;
- The former paragraph 9.4.4 on Virements to be transferred to Part 10 of the Constitution in order to be considered more easily in relation to other Financial Procedures.

No additional amendments were proposed at the meeting.

Part 10 Finance Rules of Procedure

The following minor changes to the document were proposed by the Finance and Governance Group:

- Inclusion of cross referencing to other Paragraphs and Parts of the Council;
- Removal of duplication in relation to matters such as Unauthorised Overspend, Powers of the Monitoring Officer and Members' Allowances;

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- Correction of references to Legislation e.g. Local Government Finance Act 1972;
- Replacing the term 'person having responsibility for the administration of the financial affairs of the Council' with s151 Officer.

The following more significant changes to the document were proposed by the Finance and Governance Group:

- Paragraph 10.9.3 (Moving Budgets Between Cost Centres) had been transferred from Part 9 of the Constitution in order to be considered more easily in relation to other Financial Procedures;
- Paragraph 10.10.2 (Variations to the Approved Capital Strategy and Programme) had been inserted with a view to clarifying thresholds for amending or viring budgets within the Capital Programme and the Committee was asked to consider whether or not the limits set out in the tables were appropriate.

The formatting of the report would be corrected once all the tracked changes were agreed.

The following additional amendments were tabled at the meeting:

- Section 10.2 (The Legal Framework) was re-ordered and the reference to the relevant Regulations were amended.

Members proposed the following additional changes:

- Paragraph 10.4.4 (Powers of Internal Audit) after 'premises or land' insert 'owned by or in the control of the Council if appropriate';
- Paragraph 10.27.1 (responsibilities of Head of Service) replace word 'terrier' with 'asset register'.

Part 12 Personnel Rules of Procedure

The following minor changes to the document were proposed by the Finance and Governance Group:

- The Constitution had been updated to reflect the current Recruitment and Selection Policy;
- Amendment of the title of Group Executives.

The following additional amendments were tabled at the meeting:

- Paragraph 12.2.1 Insert note at the end as follows: "[Note: This procedure does not apply to the following employees: The Chief Executive, the Section 151 Officer or the Monitoring Officer who are subject to Statutory Regulations. Any disciplinary action against them must only be taken on the basis of a report from the Designated Independent Person and in accordance with the relevant statutory requirements.]"

No additional amendments were proposed at the meeting.

RESOLVED that:

- 1. the amendments set out in the report as well as the additional amendments to paragraphs 10.4.4 and 10.27.1, section 10.2 and 12.2.1 be recommended to Full Council for approval;**
- 2. any changes, agreed by Full Council, to come into effect on the 12 December 2014.**

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(The meeting commenced at 5.00 pm and closed at 5.34 pm)

CHAIRMAN

Date of Signature