

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, 15 NOVEMBER 2021

Councillors Present: Jeff Beck, Jeremy Cottam (Vice-Chairman), Rick Jones, Tony Linden, Thomas Marino (Chairman), Steve Masters (Substitute) (In place of David Marsh), Geoff Mayes, Andy Moore and Claire Rowles

Also Present: Sarah Clarke (Service Director (Strategy and Governance)), Shannon Coleman-Slaughter (Chief Financial Accountant) and Joseph Holmes (Executive Director - Resources),

Councillors Present Remotely: Graham Bridgman (Portfolio Holder: Deputy Leader and Executive Member for Health and Wellbeing), Howard Woollaston (Executive Portfolio: Internal Governance, Leisure and Culture)

Also Present Remotely: Anne Budd, Bill Graham, David Southgate (Parish Council rep)

Apologies for inability to attend the meeting: Councillor David Marsh

PART I

17 Minutes

Cllr Tony Linden clarified that in relation to item 12 (paragraph 3), he had requested the date of the creation of the district council rather than unitary council.

Cllr Jeff Beck noted that the minutes had failed to record his apologies.

In response to a query, the Monitoring Officer assured members that resolution was being sought in relation to minutes distinguishing those members physically present at the meeting as opposed to via Zoom.

Subject to the above comments, the minutes of the meeting held on 1 July were confirmed by the committee as a correct record and signed by the Chairman.

18 Declarations of Interest

There were no declarations of interest.

19 Forward Plan

The Monitoring Officer clarified that Item 5 related to instances where a member may refer a denied access to information request to the committee for consideration if it was felt that the information had been unreasonably withheld.

RESOLVED: the Committee noted the Governance and Ethics Committee Forward Plan.

20 External Audit Appointment Process for Financial Years 2023/24 - 2027/28 (C4147)

The report was introduced by the Chief Financial Accountant.

GOVERNANCE AND ETHICS COMMITTEE - 15 NOVEMBER 2021 - MINUTES

In response to a query the Executive Director (Resources) clarified that there were currently five audit firms on the Public Sector Audit Appointments' (PSAA) list but that more widespread engagement was being encouraged.

It was reported that the process had reduced external audit fees to date but was felt unlikely to impact any further.

In response to concern raised in relation to breaching competition rules the Executive Director (Resources) clarified that the council was legally authorised to undertake its own procurement process for an external auditor, but was obliged to appoint one of the nominated firms on the PSAA list.

The committee generally welcomed the proposal and felt that it would improve the council's negotiating powers and allow for greater control over the accounts.

RESOLVED: the Committee

- Noted the report; and
- Recommended that the Public Sector Audit Appointments' (PSAA) invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023 be approved and accepted by Council at its meeting on 2nd December.

21 Updates to the Constitution (C4104)

The Monitoring Officer introduced the report and acknowledged the significant work undertaken by the Constitution Review Task Group ('Task Group') to produce the report recommendations.

The Chair of the Task Group added that substantial consideration had gone into the proposals within the report. It was clarified that whilst some of the proposals would result in immediate permanent constitutional amendments, some had been put forward purely to impact the 2022 budget meeting and would likely form part of the general update and review of the constitution currently being undertaken.

In response to a proposal to re-order the budget agenda to allow more time to debate the revenue, the Executive Director (Resources) clarified that there was no flexibility within the agenda. Amendments made to the capital budget were likely to directly impact the revenue budget and consequently revenue would always need to be debated and agreed as a final item.

In response to a suggestion that the table at 5.25 regarding political party time allocations may prove difficult to manage in practice, the Monitoring Officer explained that it was proposed that the time allocations would be allocated to each party in order, en bloc. Consequently it would be for each leader and group to manage that time accordingly.

In response to a suggestion to allow members to vote on individual amendments rather than the en bloc voting which had taken place at the 2021 budget meeting, the Monitoring Officer explained that budget meetings were subject to legislative requirements in relation to the manner of voting, necessitating the need for named votes. Consequently to allow a vote for each amendment had the potential to become unnecessarily time consuming.

In response to requests for a return to 'in person' meetings, both the Monitoring Officer and Chair of the Task Group explained that since the onset of the Covid pandemic, health and safety had been at the forefront for determining meeting arrangements. It was further commented that hiring an alternative venue to accommodate all members would have both cost and streaming implications.

GOVERNANCE AND ETHICS COMMITTEE - 15 NOVEMBER 2021 - MINUTES

Members made the following comments and observations:

- The proposal of a separate budget meeting was broadly welcomed;
- It was agreed that the proposal outlined in Appendix C was too rigid, and the consensus view was to prefer the option outlined in Appendix D;
- It was suggested that any budget meeting should allow for physical attendance, debate and exercise of voting rights by all members, rather than indicative voting; and
- It was agreed that it was the responsibility of group leaders and members to ensure a full and reasonable budget debate within the timescale available.

The Monitoring Officer assured members that in relation to physical attendance at meetings, all options were being investigated to ensure an approved, lawful budget meeting for 2022.

ACTION: The Monitoring Officer agreed to produce an indicative timetable report relating to the work of the Task Group for inclusion in the 17th January agenda.

RESOLVED:the Committee recommended that Council:

- approve recommendations (a)-(h) within the report; and
- with reference to recommendation (d) approve the rules of procedure for the 2022 Budget Meeting of Council detailed at Appendix D.

22 Action Plan Update Report – Review of the effectiveness of the Governance and Ethics Committee (GE4116)

The Committee noted the action plan update report.

(The meeting commenced at 6.30 pm and closed at 7.45 pm)

CHAIRMAN

Date of Signature