

DRAFT

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

GOVERNANCE AND AUDIT COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY, 8 NOVEMBER 2012

Councillors Present: Jeff Beck (Chairman), Paul Bryant, Tony Linden, Julian Swift-Hook (Vice-Chairman), Tony Vickers and Quentin Webb

Also Present: David Holling (Head of Legal Services)

Apologies for inability to attend the meeting: Councillor David Holtby

PART I

21. Declarations of Interest

There were no declarations of interest received.

22. Approval of Councillor Absence (C2574)

(Councillor Tony Linden arrived at 5.35pm)

The Committee considered a report (Agenda Item 3) concerning delegation to the Monitoring Officer, the ability to approve absences from attendance at meetings in certain circumstances of Members of the Council, by amending the Scheme of Delegation.

The Monitoring Officer reported that under section 85 of the Local Government Act 1972, if a Member was unable to attend meetings for a period of six consecutive months they would cease to be a Member. The Act did however make provision for the Council to authorise absence in certain circumstances. While the issue was covered in general, there was no process to address it in the Council's Constitution and therefore approval of absences would have to be agreed by Full Council.

Such an arrangement would be unwieldy and it was therefore proposed that the Council's Constitution be amended to delegate authority to the Monitoring Officer, in consultation with the Group Leaders, to approve absences in certain circumstances such as illness or extended periods of work abroad.

Due to a recent issue that had arisen, it was requested that urgent approval of the delegation be given by the Governance and Audit Committee, that the delegation be ratified by Full Council in December 2012 and that the Scheme of Delegation be amended accordingly.

In considering the item, Members were concerned that there was no 'end date' to the approval and considered that any approval for extended absence beyond the six month period specified in the Act should be limited to three months, with the ability of the Member to reapply in writing to the Monitoring Officer for a further three month period. No additional extensions should be allowed, as this would deprive the Community of representation.

Councillor Swift-Hook suggested that the criteria under which absence could be allowed should be limited to exceptional circumstances such as serious chronic or critical illness, or extended working commitments abroad or service in the Forces. Members agreed that

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any illness ought to be regarded as serious and would depend on the evidence available at the time. Any application should be in writing, addressed to the Monitoring Officer.

Members also considered that in a situation where the Group Leaders disagreed after being consulted, and in order to assist the Monitoring Officer the matter be brought before a Special meeting of the Governance and Audit Committee to determine.

With the matters referred to above, Members supported the recommendation as set out in the report.

RESOLVED:

- 1. To agree the amendment to the Scheme of Delegation to allow the Monitoring Officer to approve applications in writing from absent Councillors in exceptional circumstances (such as serious illness, extended work commitments abroad or extended service in the Forces) subject to consultation with Group Leaders. Any applications for extended absence would be limited to two three month periods only and in the event of disagreement between the Group Leaders, the application would be determined by a Special Meeting of the Governance and Audit Committee.**
- 2. To recommend that Council ratifies and approves this arrangement, and the amendment to the Scheme of Delegation.**

(The meeting commenced at 5.30 pm and closed at 5.56 pm)

CHAIRMAN

Date of Signature