

GOVERNANCE, AUDIT AND STANDARDS COMMITTEE

MONDAY, 19 JUNE 2023

Present: Councillor S Paterson (Vice-Chair, in the Chair)

Councillors: P J Bales
M Brown
G Bunn
K Harlow
G S Hills
A Kingdon
J M Owen
D K Watts
S Webb

10. APOLOGIES

Apologies for absence were received from Councillors R Bullock, S J Carr and R S Falvey.

11. DECLARATIONS OF INTEREST

There were no declarations of interest.

12. MINUTES

The minutes held on 22 May 2023 were confirmed as a correct record.

13. CONSTITUTION REVIEW

A review of the Constitution had been undertaken in which Officers had been engaged and comment had been invited from Members through their respective Group Leaders. Although, it was acknowledged that the Borough Elections would have limited the ability for Member engagement, as a number of Members were not standing to be re-elected and new Members needed time to be inducted.

Therefore, the majority of the proposed amendments had been identified through Officer consultation. The amendments included consequential restructure changes to Officer responsibilities and titles, amending the Officer scheme of delegation and the terms of reference to build in better governance arrangements for the Stapleford Towns Fund, Kimberley Levelling Up Fund and UKSPF. A separate exercise had been undertaken concerning the Council's Financial Regulations and the Code of Conduct.

Members raised the importance of the lack of time to implement a shadow board for an elected mayor. It was requested that this be included on the Work Programme as a standing item in addition to updates on the Devolution Bill, the UKSPF and other related items.

The Committee considered the annual review of the Constitution and stated that there were reservations over allowing professional speakers to represent applicants at Planning Committee, as this may dissuade objectors from speaking. Further comments included that written answers be distributed with the minutes following questions to members at Council meetings. It was suggested that the proposal to require Members to give 28 days' notice when referring items to Planning Committee should be given further consideration.

An amendment was proposed by Councillor P J Owen and seconded by Councillor J M Owen that the Leader of the Opposition be allowed the right to speak but not vote at meetings of the Cabinet. On being put to the meeting the amendment was lost.

RESOLVED that the amendments to the Constitution be RECOMMENDED to Council for approval.

14. REVIEW OF FINANCIAL PROCEDURE RULES, INCLUDING CONTRACT PROCEDURE RULES

Under its terms of reference, the Committee is tasked with an overview of the Council's Constitution and consideration of proposed amendments or revisions to the Constitution including the Schemes of Delegation, Procedure Rules and Protocols.

Members were informed that the annual review of the Council's Financial Procedure Rules, including the Contract Procedure Rules, had been completed. These rules, formerly referred to as Financial Regulations and Contract Standing Orders, were designed to assist the Council to regulate and control the finances of all directorates and services. The rules were fundamental to maintaining acceptable standards of financial administration, supporting good governance and the performance of functions across all areas of service delivery. As a contractual condition of employment, every employee shall comply with these rules when carrying out their duties.

The documents had been benchmarked against other district councils and had been subsequently reviewed by the Council's General Management Team. Whilst leading Members were provided with the opportunity to feedback on the existing regulations, it was acknowledged that there has only been limited time for Member engagement given the timing of the Borough elections. It was further noted though that the Financial Procedure Rules were subject to periodic review, therefore, any further changes required could be considered again as part of the next annual review of the Constitution.

RESOLVED that the updated Financial Procedure Rules, including the Contract Procedure Rules, be RECOMMENDED to Council.

15. ANNUAL REVIEW OF THE CODE OF CONDUCT AND UPDATE ON MEMBER CODE OF CONDUCT COMPLAINTS

Members were informed that the Localism Act 2011 section 27, placed the Council under a duty to promote and maintain high standards of conduct. In discharging this duty, the Council was required to adopt a Code dealing with the conduct that was

expected of its Members and Co-opted Members. Section 28(6) also required the Council to have in place arrangements under which allegations could be investigated.

The Code was last reviewed in 2022 and a new Code was adopted on 13 April 2022 and came into effect on 11 May 2022. In line with the Best Practice Recommendations it was agreed that an annual review of the Borough's Code would be added to this Committee's agenda.

The review recommended making no further amendments to the Code of Conduct currently adopted, as the Borough's Code continues to be fit for purpose, provides clarity on the behaviour expected of Members and reflects public expectation.

The Committee noted the update on the review of the Code of Conduct, Member Code of Conduct complaints and training provided to Borough and Parish/Town Members.

The reduction in Member Code of Conduct complaints was welcomed and it was suggested that minor amendments be included to clarify meaning to the 'Confidentiality and Access to Information' section. It was further stated that the Code and the Arrangements worked in opposition, to which it was stated that the comments would be further considered. Further clarification on dispensations was requested.

RESOLVED that the Code of Conduct at appendix 2 of the report be RECOMMENDED to full Council for adoption.

16. WORK PROGRAMME

Members considered the Work Programme and it was suggested that governance arrangements for external bodies, such as the EMDEVCO and UKSPF be added for consideration at future meetings.

RESOLVED that the Work Programme, as amended, be approved.