

A G E N D A

AUDIT AND GOVERNANCE COMMITTEE

Wednesday 23 May 2018 at 11.15 am
Council Chamber, Town Hall, Tunbridge Wells, Kent TN1 1RS

Borough Council Representatives:	(To be confirmed at the Annual Meeting of the Council on 23 May)
Independent Members:	Mrs Hough (standing down on 10 June 2018), Mr Quigley and Mr Shiels
Parish/Town Council Representatives:	Councillors Coleman and Henshaw
Quorum:	3 Members, to include at least one independent member

- 1 Apologies for Absence**
Apologies for absence as reported at the meeting.
 - 2 Declarations of Interest**
To receive any declarations of interest by members in items on the agenda.

For any advice on declarations of interest, please contact the Monitoring Officer.
 - 3 Appointments to the Constitution Review Working Party** (Pages 3 - 8)
 - 4 Date of Next Meeting - Tuesday 17 July at 6.30pm**
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Notes on Procedure

- (1) A list of background papers appears at the end of each report, where appropriate, pursuant to the Local Government Act 1972, section 100D(i).
- (2) Items marked * will be the subject of recommendations by the Committee to Full Council.
- (3) Members seeking factual information about agenda items are requested to contact the appropriate Service Manager prior to the meeting.
- (4) Members of the public and other stakeholders are required to register with the Democratic Services Officer if they wish to speak on an agenda item at a meeting. Places are limited to a maximum of four speakers per item. The deadline for registering to speak is 4.00 pm the last working day before the meeting. Each speaker will be given a maximum of 3 minutes to address the Committee.
- (5) Please note that this meeting may be recorded or filmed by the Council for administrative purposes. Any other third party may also record or film meetings, unless exempt or confidential information is being considered, but are requested as a courtesy to others to give notice of this to the Democratic Services Officer before the meeting. The Council is not liable for any third party recordings.

Further details are available on the website (www.tunbridgewells.gov.uk) or from Democratic Services.

- ◇ **If you require this information in another format, please contact us on 01892 526121**
- ◇ **Accessibility into and within the Town Hall - In response to the requirements of the Disability Discrimination Act 1995, the Council has provided the following features to overcome physical barriers to access.**
There is a wheelchair accessible lift by the main staircase, giving access to the first floor where the committee rooms are situated. There are a few steps leading to the Council Chamber itself but there is a platform chairlift in the foyer.
- ◇ **Hearing Loop System - The Council Chamber and all the Committee Rooms have been equipped with hearing induction loop systems. The Council Chamber also has a fully equipped audio-visual system.**

Audit and Governance Committee

23 May 2018

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

Appointments to the Constitution Review Working Party

Final Decision-Maker	Audit and Governance Committee
Portfolio Holder(s)	Councillor David Jukes – Leader of the Council
Lead Director	Lee Colyer – Director of Finance, Policy and Development
Head of Service	Jane Clarke – Head of Policy and Governance
Lead Officer/Author	Mike McGeary – Democratic Services Officer
Classification	Non-exempt
Wards affected	All

This report makes the following recommendations to the final decision-maker:

That members be appointed to the Constitution Review Working Party for the 2018/19 municipal year. (NOTE: The recommended names will be circulated in advance of the meeting.)

This report relates to the following Five Year Plan Key Objectives:

- A Confident Borough

Timetable

<i>Meeting</i>	<i>Date</i>
Political group leaders	4 – 11 May 2018
Audit and Governance Committee	23 May 2018

Appointments to the Constitution Review Working Party

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To appoint members to the Constitution Review Working Party (CRWP), for the 2018/19 municipal year.
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2. INTRODUCTION AND BACKGROUND

- 2.1 The Working Party was established in June 2009. Its functions and terms of reference are set out in Appendix A to this report.
- 2.2 The Working Party is required to assist the Audit and Governance Committee in undertaking periodic reviews of the Constitution and keeping the document up-to-date in line with changes to the law, central government guidance, Council decisions and evolving working practices.
- 2.3 The current members of the Working Party are Borough Councillor Jane March and (now former Councillors) Graham Munn and Catherine Rankin, together with independent member Tony Quigley. Mr Quigley is the current Chairman.
- 2.4 The CRWP is a working group of the Audit and Governance Committee. As a working group, it is not subject to the political balance criteria. However, its membership is set out in its terms of reference as follows:
- One member of the Executive (who will be responsible for reporting the views of Cabinet to the Working Party)
 - One member of the ruling group that is not a member of the Executive (who will be responsible for reporting the views of the ruling group to the Working Party)
 - One member of the opposition group(s) (who will be responsible for reporting the views of the opposition groups to the Working Party)
 - One independent member of the Audit and Governance Committee
- 2.5 The terms of reference also state that “Meetings will be chaired by the Independent Member (and in his or her absence by the Monitoring Officer or his or her representative)”.
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3. AVAILABLE OPTIONS

- 3.1 Unless the authority wishes to disband the Working Party, the only option is to appoint members for the 2018/19 municipal year.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Appointments are made at the discretion of the Audit and Governance Committee, following discussion with the leaders of the political groups and members of the Council. The current Chairman (Mr Tony Quigley) has confirmed his willingness to remain as Chairman.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The Leader of the Council and other group leaders have been consulted.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The Committee's decision will be published on the Council's website following the meeting on 23 May 2018. Appointed members will be advised direct.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
Legal including Human Rights Act	The power to make appointments to a working party of the Audit and Governance Committee rests with that Committee.	Mike McGeary Democratic Services Officer 27 April 2018
Finance and other resources	There are no additional finance implications as a result of this decision.	Mike McGeary Democratic Services Officer 27 April 2018
Staffing establishment	There are no additional staffing implications as a result of this decision.	Mike McGeary Democratic Services Officer 27 April 2018
Risk management	There are no additional risk management implications as a result of this decision.	Mike McGeary Democratic Services Officer 27 April 2018
Environment and sustainability	There are no additional environment implications as a result of this decision.	Mike McGeary Democratic Services Officer 27 April 2018

Community safety	There are no additional community safety implications as a result of this decision.	Mike McGeary Democratic Services Officer 27 April 2018
Health and Safety	There are no additional health and safety implications as a result of this decision.	Mike McGeary Democratic Services Officer 27 April 2018
Health and wellbeing	There are no additional health and wellbeing implications as a result of this decision.	Mike McGeary Democratic Services Officer 27 April 2018
Equalities	There are no additional equalities implications as a result of this decision.	Mike McGeary Democratic Services Officer 27 April 2018

8. REPORT APPENDICES

The following document is to be published with, and forms part of, the report:

- Appendix A: The terms of reference of the Constitutional Review Working Party

9. BACKGROUND PAPERS

Copy of the report made to this Committee, dated 24 May 2017

Terms of Reference of the Constitution Review Working Party

1. Composition

- (a) Membership – The Constitution Review Working Party will be selected by the Leader in consultation with the Chairman of the Audit and Governance Committee and the Opposition Group Leader(s) and it will comprise the following Members.
- One Member of the Executive (who will be responsible for reporting the views of Cabinet to the Working Party)
 - One Member of the Ruling Group that is not a Member of the Executive (who will be responsible for reporting the views of the Ruling Group to the Working Party)
 - One Member of the Opposition Group(s) (who will be responsible for reporting the views of the Opposition Groups to the Working Party)
 - One Independent Member of the Audit and Governance Committee
- (b) Chairing of the Committee
- Meetings will be chaired by the Independent Member (and in his or her absence by the Monitoring Officer or his or her representative)
- (c) Officer Support
- Meetings will be supported by the Monitoring Officer, Democratic Services Officer and any other officer as required

2. Role and Function

- (a) The Constitution Review Working Group shall report its work to the Audit and Governance Committee via the Independent Member (or in his or her absence by the Monitoring Officer or his or her representative)
- (b) It will set its own work programme save the following bodies can request that it considers a particular item of work:
- Full Council
 - The Chairman of Audit and Governance Committee
 - The Monitoring Officer
- (c) It has no decision making power save that it shall act as a 'sounding board' for the delegated decision making power of the Monitoring Officer in relation to minor amendments to the Constitution
- (d) It can invite any Member or Officer to speak on a particular item
- (e) The agenda and minutes will be circulated to the Leader and other Group Leaders
- (f) It can consider any constitutional or procedural matter concerning the Council
- (g) It will assist the Audit and Governance Committee in undertaking regular reviews of the Council's Constitution document
- (h) It will make recommendations on changes to the Constitution, and other Council Procedures, to the Audit and Governance Committee and the Full Council

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