

A G E N D A

AUDIT AND GOVERNANCE COMMITTEE

Wednesday 25 May 2022 at 11.30 am
Council Chamber, Town Hall, Royal Tunbridge Wells, TN1 1RS

Borough Council Representatives:	Councillors Allen, Britcher-Allan, Chapelard, Everitt and Warne
Independent Members:	Quigley and Turner
Parish/Town Council Representatives:	Councillors Mackonochie and Edwards
Quorum:	3 Members, to include at least one independent member

- 1 Chairman's Introduction** (Pages 5 - 6)
 - 2 Apologies for Absence** (Pages 7 - 8)
Apologies for absence as reported at the meeting.
 - 3 Declarations of Interest** (Pages 9 - 10)
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.
 - 4 Appointments to the Constitution Review Working Party** (Pages 11 - 16)
 - 5 Date of Next Meeting 26 July 2022** (Pages 17 - 18)
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Democratic Services Team

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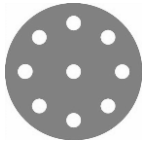
Tunbridge Wells Borough Council
Town Hall
ROYAL TUNBRIDGE WELLS
Kent TN1 1RS

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Speaking at Meetings

Members of the public are encouraged to participate and may speak to the Council directly on any item on the agenda for up to 3 minutes. Members of the public (and any members of the Council who are not members of the committee) will need to register with Democratic Services in advance. Please see the agenda item titled **Notification of Persons Registered to Speak** for more details.

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If you require this information in another format please contact us, call 01892 526121 or email committee@tunbridgewells.gov.uk

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Chairman's Introduction

For Audit and Governance Committee on Tuesday 28 April 2022

Procedural Item

To receive any announcements on procedural matters.

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Apologies for Absence

For Audit and Governance Committee on Tuesday 28 April 2022

Procedural Item

To receive any apologies for absence.

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Declarations of Interest

For Audit and Governance Committee on Tuesday 28 April 2022

Procedural Item

To receive any declarations of interest by members in items on the agenda in accordance with the Members' Code of Conduct. For any advice on declarations of interest, please contact the Monitoring Officer before the meeting.

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Appointments to the Constitution Review Working Party

For Audit and Governance Committee on 25 May 2022

Summary

Lead Member: All

Lead Director: Lee Colyer, Director of Finance, Policy and Development

Head of Service: Jane Clarke, Head of Policy and Governance

Report Author: Emer Moran, Democratic Services Officer

Classification: Public document (non-exempt)

Wards Affected: All

Approval Timetable	Date
Audit and Governance Committee	25 May 2022

Recommendations

Officer / Committee recommendations as supported by the Portfolio Holder:

1. That the Committee notes the members of the Constitution Review Working Party as appointed by the Leader of the Council in consultation with the Chair of Audit and Governance Committee for the 2022/23 municipal year.

1. Purpose of Report and Executive Summary

- 1.1 To appoint Members to the Constitution Review Working Party (Working Party), for the 2022/23 municipal year.

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 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 who shall be Chairman

3. Available Options

- 3.1 Unless the Council wishes to disband the Working Party, the only option is to appoint Members for the 2022/23 municipal year.

4. Preferred Option and Reason

- 4.1 The only option is as set out in paragraph 3.1. Appointments are made at the discretion of the Leader in conjunction with the Chairman of the Audit and Governance Committee following discussions with the leaders of the political groups and Members of the Council.

5. Consultation on Options

5.1 This is an appointment made by the Council and is not subject to public consultation.

6. Appendices and Background Documents

Appendices:

- Appendix A: Terms of Reference of the Constitution Review Working Party

7. Cross Cutting Issues

A. Legal (including the Human Rights Act)

The Working Party's Terms of Reference state the membership of the Working Party will be determined by the Leader in consultation with the Chairman of the Audit and Governance Committee and the opposition group leaders. The appointments are reported to the Audit and Governance Committee for noting as it is a function of the Committee to maintain an overview of the Council's Constitution.

There are no immediate legal implications arising from this report.

Claudette Valmond, Head of Legal Partnership

B. Other Implications (Finance, Staffing, Risk Management, Environment and Sustainability, Community Safety, Equalities, Data Protection, Health and Safety, Health and Wellbeing.)

This report does not propose any policy changes and therefore there are no significant implications as a result of the options with this report.

Emer Moran, Democratic Services Committee, 17 May 2022.

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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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Date of the Next Meeting

For Audit and Governance Committee on Wednesday 25 May 2022

Procedural Item

To note that the next scheduled meeting is Tuesday 26 July 2022 at 6.30pm.

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