

## Policy & Service Review Community Forum



Date	19 January 2006
Venue	Council Offices, Derby Road, Wesham
Committee members	Simon Renwick (Chairman) John Prestwich (Vice-Chairman)  Peter Collins, Kevin Eastham, Raymond Norsworthy, Linda Nulty, Martin Taylor
Other Councillors	Dr Trevor Fiddler, Elizabeth Oades, Fabian Wilson
Officers	Phil Woodward, Ian Curtis, Tracy Scholes, Tony Donnelly, Lyndsey Lacey, Savile Sykes, Oliver Shimell

### 1. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

### 2. Confirmation of minutes

RESOLVED: To approve the minutes of the Policy & Service Review Community Forum meeting held on 1 December 2005 as a correct record for signature by the chairman.

### 3. Substitute members

The following substitutions were reported under council procedure rule 22.3:

Councillor Kevin Eastham for Councillor Stephen Carpenter

Councillor Linda Nulty for Councillor Keith Wright

### 4. Final Constitution revisions

Ian Curtis (Legal and Democratic Services Business Manager) presented a report on the final revisions to the Constitution.

In brief, the report contained sections of the Constitution that required further debate. These included arrangements for a fourth Overview and Scrutiny Committee dealing with planning policy, proposed terms of reference for the establishment of an Audit Sub-Committee and minor amendments to the Constitution on decision making. The report also outlined proposals to limit debates arising out of questions asked on certain issues.

Members enquired about the alternative ways in which a group could be set up to look into planning policy. Mr Curtis suggested that the Development Control Committee could involve itself in planning policy if there was one member fewer. This would allow the committee to be involved in policy formulation. Concerns were raised about whether this approach was democratic. Mr Curtis explained that this type of arrangement was not in accordance with ODPM guidance but there were no legally binding issues.

The Forum made reference to the importance of planning training and the implications of substitution. Members were advised that there were no requirements on the council to allow substitution and that it could be written out of the constitution if required.

In terms of the proposed Audit Sub-Committee, members enquired about the necessity for such a committee and the suggested make up. Mr Sykes explained that the establishment of an Audit Committee was highly recommended by various bodies, in particular the Audit Commission. It was considered best practice amongst local authorities. He added that it whilst there was no guidance on numbers it would be appropriate to consider appointing 4/5 members on the Sub Committee.

Following a full debate the Forum RESOLVED:

1. To recommend the establishment of a fourth Overview and Scrutiny Committee to look into planning policy and its Terms of Reference (as amended) detailed below:
  - Contributing to the development of the council's local development scheme and any local development document.
  - Monitoring the effectiveness and appropriateness of the development plan, including any regional spatial strategy, structure plan, local plan or local development document, whether or not the document is the direct responsibility of the council
  - Allowing the views of members of the Development Control Committee to be taken into account in the above aspects of planning policy development
  - Contributing to and monitoring the effectiveness of policies in relation to regeneration, economy, housing and conservation matters.
2. To recommend the establishment of an Audit Sub-Committee and its Terms of reference as detailed below:

- Approving (but not directing) internal audit's strategy, plan and performance.
- Reviewing summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary.
- Considering reports of external audit and inspection agencies.
- Considering the effectiveness of the authority's risk management arrangements, the control environment and associated anti fraud and anti corruption arrangements. Seeking assurances that action is being taken on risk related issues identified by auditors and inspectors.
- Being satisfied on the authority's assurance statements, including the Statement of Internal Control, properly reflect the risk environment and any actions required to improve it
- Ensuring that there are effective relationships between external and internal audit, inspection agencies and relevant bodies, and that the value of the audit process is actively promoted
- Reviewing the financial statements, external auditors opinion and reports to members, and monitor management action in response to the issues raised by external audit.

In relation to its Internal Audit functions the sub-Committee will

- Meet a minimum of four times per year, (timetable to be agreed), to receive reports from the Head of Internal Audit who may report directly to the Chairman of the Committee if deemed necessary; and have the authority to require the attendance of any elected Member or Officer of the Authority.
3. To recommend that the Audit Sub- Committee be made up of 3 or 4 elected members and that the committee endeavours to seek a suitably qualified independent person to be co-opted onto the committee.
  4. To recommend that Article 12 (decision making) of the Constitution be amended to include the following terms in bold:
    - (a) Proportionality **(the solution adequately meets the problem)**
    - (c) Respect for human rights and **equality of opportunity**
  5. To recommend the incorporation of the following under section 8.6 of the Constitution relating to Standing Orders.

No debate will be allowed arising out of a question asked or answer given under this rule.