

Council:

25 November 2021

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

RE-APPOINTMENT OF TWO INDEPENDENT MEMBERS OF THE GOVERNANCE & AUDIT COMMITTEE

Reason for this Report

1. To seek approval for the re-appointment of two Independent Members of the Governance and Audit Committee.

Background

2. This Council's Audit Committee was established in May 2012 with four Independent Members. These Independent Members were duly appointed at Annual Council on 17 May 2012. The Independent Members were appointed for two administrative terms unless they indicated that they wished to stand down for any reason.
3. At its meeting on 21 May 2021 Council approved amendments of the terms of reference of the Audit Committee to reflect the requirements of Part 6 of the Local Government and Elections (Wales) Act 2021. The Act introduced a new performance and governance regime which included the renaming of the Audit Committee to the 'Governance and Audit Committee' to reflect its new statutory functions.
4. The Governance and Audit Committee, is comprised of eight Councillors and four Independent Members. The proportion of Independent Members is one third of the Committee Members. The appointment of Independent Members of the Governance and Audit Committee is the responsibility of Council.

Issues

5. On 24 November 2016, in order to fill vacancies, two new independent Members were appointed by Council, for a 5 year term of office, as follows:
 - a. Mr David Price with effect from 25 November 2016.
 - b. Mr Gavin McArthur with effect from 1 December 2016.
6. The appointments were made following a public recruitment exercise, which was carried out in accordance with the statutory guidance issued by the Welsh Government. The guidance recommends that Independent (lay) members should not

be appointed 'for more than two full terms of a local authority' (paragraph 9.27 of the Guidance).

7. Mr Price and McArthur have effectively supported the Governance and Audit Committee throughout their first term of office and have confirmed their willingness to remain for a further 5-year term.
8. Council is recommended to approve their reappointments accordingly.

Legal Implications

9. Part 6, Chapter 2 of the Local Government (Wales) Measure 2011 ('the Measure', as amended by the Local Government (Wales) Act 2021) sets out the statutory requirements for the Governance and Audit Committee, including provisions regarding its statutory functions, membership and proceedings. Section 82 of the Measure requires that one third of the members of the Committee must be 'lay persons' (independent members) as defined.
10. A local authority and its Governance and Audit Committee must have regard to statutory guidance given by the Welsh Ministers under section 85 of the Measure: [The Local Government Measure 2011](#) (Chapter 9). Relevant guidance is referred to in the body of the report (please see paragraph 6 of this report).

Financial Implications

11. There are no direct financial implications arising from this report. Independent Members are entitled to claim allowances and expenses which will be met from existing budgets.

RECOMMENDATIONS

12. Council is recommended to re-appoint, as Independent members of the Governance and Audit Committee:
 - (i) Mr David Price, with effect from 25th November 2021; and
 - (ii) Mr Gavin McArthur, with effect from 1st December 2021,for a further 5 year term of office.

GP JONES
HEAD OF DEMOCRATIC SERVICES
19 November 2021

Background Papers:

[Establishment Of Committees, Their Size, Terms Of Reference And Allocation Of Seats](#)
Annual meeting of Council dated [17 May 2012](#)

[Establishment of Standing of Council 2021-22](#) Annual Meeting of Council dated [27 May 2021](#)

[Audit Committee – Independent Member Appointments](#) Meeting of Council dated [24 November 2016](#)