

**Item 5b - Annual Review of the Performance and Governance Committee's
Terms of Reference**

Modern Local Government Group's Recommendation to Council

At its meeting on 8 July 2010, the Modern Local Government Group

Resolved:

That the amendments to "Part 6 - Performance and Governance Committee" (Appendix A of the report) be supported and that Council be recommended to amend the Constitution accordingly.

The full Minute will be circulated separately.

The Performance and Governance Committee's Recommendation to Council

At its meeting on 20 April 2010, the Performance and Governance Committee considered the matter as follows:

Members discussed the Committee's current structure and noted that it fulfilled the role of an audit committee, amongst its other functions. Members noted that the Council's auditors had been impressed with how the Committee operated and that the review of the Committee's terms of reference had been designed to ensure that the Committee's written procedures fully reflected the way in which the Committee worked.

Members discussed whether the Committee should retain the power to appoint two non-voting co-opted members, as this had not been used by the Committee. On balance, Members decided to leave the power in place but made clear that they had no current or future plans to exercise it.

At section 4, bullet point e) Members agreed to add an additional sentence to read "Unless there are special circumstances which justify an urgent decision, no decision will be taken to dispose of land until the proposal has been considered by the Performance and Governance Committee". This was to ensure that all land disposal decisions were thoroughly reviewed before being taken.

Resolved:

That the amendments to "Part 6 – Performance and Governance Committee" (Appendix A) be supported as amended above and that Council be recommended to amend the Constitution accordingly.

N.B. The report attached to this agenda includes the amendment agreed by the Performance and Governance Committee.

