

## Constitution and Ethics Committee Minutes

Date: 26 September 2024

Time: 10.00 a.m. – 10:15 a.m.

Venue: Red Kite Room, New Shire Hall

Present: Councillors David Ambrose Smith, Alex Bulat, Piers Coutts, Lorna Dupré, Peter McDonald, Edna Murphy and Keith Prentice

In the absence of the Chair and Vice-Chair, it was proposed by Councillor Murphy, seconded by Councillor Bulat and agreed unanimously, to elect Councillor Dupré as the Chair of the meeting.

### 71. Apologies for Absence and Declarations of Interest

Apologies were received from Councillors Doug Dew (substituted by Councillor McDonald), John Gowing, Richard Howitt (substituted by Councillor Bulat), and Sebastian Kindersley (substituted by Councillor Coutts),

Councillor Murphy declared a non-statutory disclosable interest in relation to Agenda Item 3 (Council-Owned Companies Governance), as the Council's shareholder representative for Pathfinder Legal Services.

### 72. Minutes – 18 June 2024

The minutes of the meeting held on 18 June 2024 were agreed as a correct record and signed by the Chair.

### 73. Council-Owned Companies Governance

The Committee received a report which proposed the establishment of a Shareholder Sub-Committee of the Assets and Procurement Committee to oversee Council-owned companies.

It was resolved unanimously to:

Recommend to Council the establishment of a Shareholder Sub-Committee of the Assets and Procurement Committee, to oversee Council-owned companies and with terms of reference as set out in Appendix 1 of this report.

#### 74. Contract Procedure Rules Update

The Committee received a report which updated Members on required changes to the Council's Contract Procurement Rules, to ensure they were compliant with the Procurement Act 2023.

While discussing the report, Members welcomed the Council supporting small and medium-sized enterprises (SMEs) and local suppliers to overcome barriers they faced when competing for contracts with the Council, and queried how the success of such support was monitored and measured. It was confirmed that future procurements would look to incorporate such considerations into the procurement planning process in order to make it easier and more viable for SMEs and local suppliers to bid for contracts. Members were also informed that the Council monitored the number of contracts held with SMEs and local suppliers using key performance indicators.

It was resolved unanimously to:

Note that the amended Contract Procedure Rules, attached at Appendix 1 to the report, would be implemented when the Procurement Act 2023 goes live on 24 February 2025.

#### 75. A Review of Complaints Received Under the Members' Code of Conduct

The Committee received a report which provided an overview of the complaints received under the Code of Conduct from 18 June and which also included details of other complaints that were already in process. Two complaints were under review by the Independent Person, while no complaints had been concluded since the time of last reporting.

It was resolved unanimously to:

Note the contents of the report.

#### 76. Constitution and Ethics Committee Agenda Plan

The Committee noted the agenda plan.

Chair  
12 November 2024