

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Adroddiad i: Report to:</b>	Audit and Governance Committee / County Council
<b>Dyddiad: Date:</b>	9 February / 9 March 2021
<b>Pwnc: Subject:</b>	Replacement of Lay Member for the Audit and Governance Committee
<b>Pennaeth Gwasanaeth: Head of Service:</b>	Marc Jones Director of Function (Resources) and Section 151 Officer 01248 752601 <a href="mailto:MarcJones@ynysmon.gov.uk">MarcJones@ynysmon.gov.uk</a>
<b>Awdur yr Adroddiad: Report Author:</b>	Marion Pryor Head of Audit and Risk 01248 752611 <a href="mailto:MarionPryor@ynysmon.gov.uk">MarionPryor@ynysmon.gov.uk</a>
<b>Natur a Rheswm dros Adrodd / Nature and Reason for Reporting:</b> Following the resignation of Mr Johnathon Mendoza, Lay Member, the Committee is asked to consider whether it wishes to recruit a replacement for the remainder of the term to be served, i.e. until May 2022 or to change the Constitution to reduce the lay members required to one until the new legislation commences.	

## Introduction

1. Mr Jonathan Mendoza, Lay Member and Vice-Chair, has resigned from the Audit and Governance Committee, with his last meeting being 1 December 2020.
2. The Local Government (Wales) Measure 2011<sup>1</sup> requires the local authority to ensure at least one member of its audit committee is a lay member.
3. The Isle of Anglesey County Council has extended this requirement; its Constitution provides for the Audit and Governance Committee to consist of two lay members, to serve for a fixed term to coincide with the length of the Council, i.e. five years, currently until May 2022.
4. The Chair and Vice-Chair are responsible for recommending the lay members' appointment.
5. The Local Government and Elections (Wales) Act 2021 (passed on 20 January 2021), introduces a new name, additional functions and responsibilities and amends the membership for the Audit and Governance

<sup>1</sup> <https://www.legislation.gov.uk/mwa/2011/4/part/6/chapter/2> 82, 2(b)

Committee, including a requirement for one third of the members to be lay members. The Chair will also be required to be a lay member.

6. If the committee continues with eight elected members, there would therefore be a requirement for four lay members.
7. The Council is still awaiting clarification on the date of commencement of the provisions relating to changes to audit committees and the nature of those changes and is a 'date to be appointed by the Minister'.
8. The Welsh Local Government Association has sought clarification from Welsh Government and we understand that the intention is for commencement to be as follows:
  - April 2021 – new name and new functions / responsibilities
  - From May 2022 – changes to membership (i.e. lay chair and a third of members being lay members).
9. The Council will therefore have to undertake a recruitment exercise in 2022 to recruit the lay members in preparation for this change.

## **Recommendation**

10. That the Audit and Governance Committee considers whether it wishes to either:
  - recruit a replacement lay member to serve the remaining term of office, until May 2022<sup>2</sup> or
  - ask Council to amend the Council's Constitution to reduce the number of lay members required on the Audit and Governance Committee from two lay members to one, until such time as the provisions of the new legislation come into effect.

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<sup>2</sup> The successful replacement would be eligible to apply for a second five-year term, but a maximum of two terms can be served.