

MINUTES OF THE GOVERNANCE COMMITTEE

Tuesday, 4 March 2025 at 7.00 pm

PRESENT: Councillors Jacq Paschoud (Chair), Susan Wise (Vice-Chair), James-J Walsh, Aisha Malik-Smith and Sakina Sheikh

ALSO PRESENT:

Under Standing Orders:

Councillors Amanda De Ryk and John Paschoud.

Officers:

Director of Law and Corporate Governance; Head of Legal Services (Deputy Monitoring Officer), Head of Scrutiny and Member Development, and Senior Committee Manager

1. Apologies for Absence

An apology for absence was received from Councillor Luke Warner.

The meeting also noted an apology for lateness on behalf of Councillor Aisha Malik-Smith

2. Declarations of Interest

No interest was declared at the meeting.

3. Constitution Update

The Director of Law and Governance introduced the report at the meeting, advising that the decision to review the Constitution stemmed from a decision by the Committee at its meeting on 18 December 2024, whereby it agreed to recommend to Council to approve a holistic review of the Constitution.

Having considered the report and the recommendations, the Committee RESOLVED:

1. To note and consider the feedback from workshop 1
2. To agree and endorse for approval and adoption at the Annual General Meeting of the Council on 7th May 2025 the matters listed in Recommendations 3 - 10 in the report.
3. To agree and endorse Part 1 – Summary & Explanation, attached to the report as Appendix 1.
4. With regard to the Part 2 - Council's Articles, to agree:
 - The deletion of references to Local Assemblies;

- The additional wording included in Article 6.13 confirming political balance rules apply to task and finish groups, as detailed in paragraph 5.6 of the report; and
 - The full Part 2 – The Articles of the Constitution, attached to the report as Appendix 2.
5. With regard to Part 3 – Responsibility for Functions, to agree:
- The inclusion of Chief Executive urgency provisions as detailed in paragraph 6.6 of the report;
 - The full Part 3 – Responsibility for Functions, attached to the report as Appendix 3.
6. With regard to the Council Procedure Rules, to agree:
- The revised rules relating to Motions on Notice, as detailed in paragraph 7.5 of the report;
 - The restrictions on the business that can be conducted at an extraordinary meeting of the Council, as detailed in paragraph 7.9 of the report;
 - The restrictions on the business that can be conducted at the budget meeting of the Council, as detailed in paragraph 7.13 of the report;
 - The revised rules relating to councillor questions, as detailed in paragraph 7.17 of the report;
 - The revised end of meeting guillotine provisions, as detailed in paragraph 7.21 of the report;
 - The full Part 4 – Council Procedure Rules, attached to the report as Appendix 4.
7. With regard to the Executive Procedure Rules, to agree:
- The deletion of references to Local Assemblies;
 - The full Part 4 - Executive Procedure Rules, attached to the report as Appendix 5.
8. With regard to the Committee Procedure Rules, to agree:
- The amendment to confirm that Chairs and Vice chairs of committees and sub committees are determined at the Annual General Meeting of Council, as detailed in paragraph 7.36 of the report;
 - The revised provisions that detail the disapplication of specific Council Procedure Rules to committees and sub committees as detailed in paragraph 7.36 of the report;
 - The full Part 4 - Committee Procedure Rules, attached to the report as Appendix 6.
9. With regard to the Scrutiny Procedure Rules, to agree, the following principles, whilst noting that the detailed wording of the Scrutiny Procedure Rules will be brought to a future meeting of the Governance Committee in advance of the Annual General Meeting of the Council on 7th May 2025:
- That Cabinet Advisors cannot sit on the Overview & Scrutiny Committee;
 - That Cabinet Advisors can sit on select committees provided the remit of the select committee does not conflict with the portfolio supported by the Cabinet Advisor;
 - With regard to call-in that:
 - Specific and reasonable reasons for call-in must be stated;

- The Monitoring Officer will consider the validity of any call-in application and consult with the Chair of Overview & Scrutiny in advance of rejecting any application;
 - All executive decisions are subject to call-in with the exception of decisions to note reports and decisions to recommend matters for onward consideration and decision by Council; and
 - In order to be valid any application for call-in must be supported by a minimum of seven councillors that are not members of the Executive.
10. To agree and endorse the Part 4 – Access to Information Rules, attached to the report as Appendix 7;
11. With regard to the Budget & Policy Framework:
- References to Overview & Scrutiny Committee or any of its sub committees undertaken requiring that additional budget consultation is undertaken are removed, as detailed in paragraph 7.58 of the report;
 - The period of time for Council to meet following a call-in being referred to it by the Overview and Scrutiny Committee be amended to within 21 calendar days, as detailed in paragraph 7.58 of the report;
 - The full Part 4 – Budget & Policy Framework, attached to the report as Appendix 8.

The meeting ended at 9pm.

Chair