

GOVERNANCE REFERENCE GROUP
MINUTE OF MEETING OF 20 JANUARY 2022

In attendance: Councillor Houghton, Convener; and Councillors Laing, Lumsden MSP, Alex Nicoll, Radley (as substitute for Councillor Jackie Dunbar MSP), Wheeler (as substitute for Councillor Reynolds) and Yuill.

Officers in attendance: Fraser Bell, Steven Inglis, Gogo Okafor and Martyn Orchard.

No.	Agenda Item	Notes of Discussion/Decisions	Action	By Whom
1.	Minute of Previous Meeting of 21 January 2020	<p>The Group had before it the minute of its previous meeting of 21 January 2020.</p> <p><u>The Group resolved:-</u> to approve the minute.</p>		
2.	Scheme of Governance Review	<p>The Group received a verbal update by Fraser Bell, Chief Officer - Governance, on progress with the Scheme of Governance review. Mr Bell advised that colleagues had been keeping a log of issues and had created a document setting out proposals to form the basis of the current review, which was currently subject to consultation with Chief Officers, Directors or other colleagues.</p> <p>Mr Bell advised that the proposed changes were not substantive in nature, compared to previous years, and this was to be expected given that the Scheme of Governance had been embedded for the past four years. He added that they were largely points of clarification, for example following queries in relation to Standing Orders, and matters linked to the pandemic or other emergency situations.</p> <p>Mr Bell explained that he would be finalising proposals with Chief Officers over the next week and would aim to circulate a note of the proposals with the accompanying rationale by the end of next week, following which he would be happy to discuss matters with members.</p>		

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		<p><u>The Group resolved:-</u> to note the update and that the proposals would be circulated in due course.</p>	SOG proposals to be circulated to groups once finalised.	Fraser Bell/ Martyn Orchard
3.	Committee Report Template	<p>The Group had before it a 3 minute brief which appended the updated committee report template</p> <p>Martyn Orchard, Committee Lead, summarised the main changes to the report template, which were the addition of an Environmental Implications section and the updating of the Risk section to match the Council's approved Risk Management Policy and Risk Appetite Statement. Mr Orchard explained that other changes were minor in nature and the updated template was planned to go live on 1 April 2022 to coincide with the updated Scheme of Governance.</p> <p>Councillor Alex Nicoll sought clarification with regard to the Risk Appetite Statement and the related gradings. Mr Orchard and Mr Bell responded that report authors would be required to provide assurance against risk appetite. Furthermore, the Group was advised that a report would be submitted to the next meeting of the Audit, Risk and Scrutiny Committee with some tweaks to the Risk Appetite Statement to be considered. It was agreed that the accompanying guidance to the report template should be strengthened to reflect that additional narrative would be required if the target risk level did not match the appetite set,</p> <p><u>The Group resolved:-</u> (i) to note the paper; (ii) to note that the accompanying guidance would be strengthened to reflect that additional narrative would be required if the target risk level did not match the appetite set; and</p>	Accompanying guidance to be amended and training to be	Martyn Orchard

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		(iii) to note that training on the updated report template would be delivered to report authors in due course and to Councillors following the May election.	delivered to officers and Councillors											
4.	Notices of Motion by Councillor Yuill - referred by Council on 13 December 2021	<p>The Group had before it two notices of motion by Councillor Yuill, which had been referred by Council on 13 December 2021, in the following terms:-</p> <p>(1) “That this Council agrees:-</p> <ol style="list-style-type: none"> 1. to suspend Standing Order 43.2; and 2. to amend Standing Order 34.1 to read: <p>Immediately following a vote at Committee or Sub Committee, one third of the membership of the Committee or Sub Committee may refer the matter to the Council, a Committee or Sub Committee for a decision (see Glossary for calculation).”</p> <p>(2) “That this Council:</p> <ol style="list-style-type: none"> 1. Notes that the Administration of the Council comprises 22 Councillors - a minority of the 45 members of the Council. 2. Agrees to amend the membership of Committees, Sub-Committees, Working Groups and Partnerships as below with immediate effect, and that Group Leaders liaise to confirm the individual allocations and advise the Chief Officer - Governance: <table border="1" data-bbox="696 1118 1601 1340"> <thead> <tr> <th data-bbox="696 1118 1149 1150"></th> <th data-bbox="1149 1118 1601 1150">Proposed Composition</th> </tr> </thead> <tbody> <tr> <td data-bbox="696 1150 1149 1182">Audit, Risk and Scrutiny Committee</td> <td data-bbox="1149 1150 1601 1182">4 Administration and 5 Opposition</td> </tr> <tr> <td data-bbox="696 1182 1149 1214">Capital Programme Committee</td> <td data-bbox="1149 1182 1601 1214">4 Administration and 5 Opposition</td> </tr> <tr> <td data-bbox="696 1214 1149 1278">City Growth and Resources Committee</td> <td data-bbox="1149 1214 1601 1278">4 Administration and 5 Opposition</td> </tr> <tr> <td data-bbox="696 1278 1149 1340">Education Operational Delivery Committee</td> <td data-bbox="1149 1278 1601 1340">6 Administration and 7 Opposition</td> </tr> </tbody> </table>		Proposed Composition	Audit, Risk and Scrutiny Committee	4 Administration and 5 Opposition	Capital Programme Committee	4 Administration and 5 Opposition	City Growth and Resources Committee	4 Administration and 5 Opposition	Education Operational Delivery Committee	6 Administration and 7 Opposition		
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		Licensing Committee	4 Administration and 5 Opposition		
		Operational Delivery Committee	6 Administration and 7 Opposition		
		Pensions Committee	4 Administration and 5 Opposition		
		Planning Development Management Committee	4 Administration and 5 Opposition		
		Public Protection Committee	4 Administration and 5 Opposition		
		Staff Governance Committee	4 Administration and 5 Opposition		
		Strategic Commissioning Committee	4 Administration and 5 Opposition		
		Urgent Business Committee	4 Administration and 5 Opposition		
		Integration Joint Board	1 Administration and 3 Opposition		
		City Region Deal Joint Committee	3 Opposition Subs – 2 Administration and 1 Opposition		
		Clinical and Care Governance Committee	2 Opposition		
		Guildry and Mortification Funds Committee	1 Administration and 2 Opposition		
		Nestrans	1 Administration and 3 Opposition		
		Strategic Development Planning Authority	2 Administration and 4 Opposition Subs – 2 Administration and 4 Opposition		
		Disability Equity Partnership	2 Administration and 3 Opposition		
		School Estate Strategy Working Group	1 Administration and 2 Opposition		
		Taxi and Private Hire Consultation Group	2 Administration and 3 Opposition		
		Special Licensing Objections Committee	2 Administration and 3 Opposition		
		Councillor Yuill spoke in support of his notices of motion.			
		With regard to the notice of motion on Standing Order 34.1, Councillor Yuill stated that he had never supported the ability of Conveners to			

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		<p>block referrals to Council. He acknowledged that it was convenient for Administrations, however it struck him as wrong, and referrals to Council had been used in moderation by Councillors over the years. Councillor Yuill added that the matter had been exacerbated over the last two years since the Administration had a minority of Councillors yet had a majority on all committees, and Conveners could block matters being referred to Council where the Administration was in the minority. Councillor Yuill emphasised that the situation was not equitable, fair or in the best interests of democracy.</p> <p>In respect of both notices of motion, Councillor Yuill acknowledged that the situation was now somewhat academic given that the earliest the situation could be changed was at the Council meeting on 28 February, and there was very little committee business in March and April ahead of the election in May.</p> <p>With regard to the notice of motion on committee memberships etc, Councillor Yuill again highlighted that the Administration had a minority of Councillors (22 out of 45) since December 2019 yet had maintained a majority on committees and sub committees etc, and he felt this was neither democratic nor fair. Councillor Yuill stated that the compositions should be changed to reflect the political balance of the Council. He added that this would not result in the Liberal Democrats getting any extra places on committees, however it was about fairness and democracy.</p> <p><u>The Group resolved:-</u> to note the position.</p>		