

## GOVERNANCE REFERENCE GROUP - 12 MARCH 2025

In Attendance: Councillor Radley, Chairperson; and Councillors Greig (substituting for Councillor Yuill), Henrickson (substituting for Councillor Allard), McLellan and Nicoll

Also present: Vikki Cuthbert, Steven Inglis, Martyn Orchard and Gogo Okafor

Apologies: Councillors Allard, Brooks, Mrs Stewart and Yuill

	Agenda Item	Notes of Discussion	Action/Decision	By Whom
1	<b>Minute of Previous Meeting of 19 February 2025</b>	<p>The Group had before it the minute of its previous meeting of 19 February 2025.</p> <p>Councillor Nicoll expressed the view that there was some detail missing from the minute which had been raised at the meeting, for example the structure of Council meetings and starting earlier than 10.30am. Vikki Cuthbert responded that some of that had been captured on page 2 of the minute, however the feedback would be recorded in this minute.</p> <p><b><u>The Group resolved:-</u></b> to approve the minute subject to noting the above.</p>		
2	<b>Scheme of Governance Review</b>	<p>The Group had before it a short paper which appended tracked changes versions of the various documents which comprised the Scheme of Governance, with the exception of the Budget Protocol.</p> <p>The Group went through the changes proposed in each of the documents starting with the <b>Standing Orders</b>.</p>		

	Item	Discussion	Action/Decision	By Whom
		<p>With regard to Standing Order 14 (Deputations), Councillor Nicoll noted that a number of deputation requests were being refused and felt that if requests were submitted, they should be heard. Vikki responded that there were exceptions which were stipulated in Standing Orders and that these were largely unchanged. In terms of the potential for deputation requests to be made over the telephone (for example), the Group felt that this needed to be followed up in writing and requested that this be amended accordingly.</p> <p>Councillor Nicoll also disagreed with deputation requests being refused if they related to a notice of motion which did not have a report. Councillor Nicoll clarified that he was not substituting for Councillor Mrs Stewart but was attending as an Independent Councillor having been invited along with the remaining Independent Councillors. On that basis, the Group noted that Councillor Nicoll's disagreement with any of the proposed changes would be recorded in the minute.</p> <p>Councillor Nicoll requested that statistics be provided for the number of deputation requests made for Council meetings in the past year and the breakdown of how many had been heard and how many had been refused.</p> <p>The Chairperson referred to the deputation which had been heard at the Communities, Housing and Public Protection Committee the previous day which had resulted in accusations being made and the meeting having to be paused. Steven Inglis advised that he had drafted some wording for inclusion in Standing Order 14 in response to the situation which the Group was satisfied with, however Councillor Nicoll expressed his objection and felt that it was something that was already covered in terms of the powers of the Convener.</p>	<p>Statistics to be provided as per the request</p>	<p>Martyn Orchard</p>

	Item	Discussion	Action/Decision	By Whom
		<p>The Chairperson referred to another situation which had occurred at the Communities, Housing and Public Protection Committee with regard to Standing Order 16 (Rights of Members to Attend Meetings). Steven responded that he would clarify the wording in Standing Order 16.1 to reflect that non-members of the Committee were entitled to ask questions and address the meeting prior to motions and amendments being moved. The Group supported such a change, however Councillor Nicoll expressed his objection and also disagreed with non-members of the committee being limited to 5 minutes to address the committee. The Group agreed that 5 minutes was sufficient and made the point that this did not include questions.</p> <p>With regard to Standing Order 16.4 and the requirement for Councillors to be PVG checked in order to be on certain committees, as compared to all Councillors potentially being PVG checked, Vikki advised that she would liaise with colleagues in People &amp; Citizen Services.</p> <p>In terms of Standing Order 24.2 and the proposed change that Members must (wherever reasonably possible) submit questions in advance of the meeting, the Group was supportive of the change, however Councillor Nicoll expressed his objection.</p> <p>With regard to the changes proposed to Standing Order 29 (Motions and Amendments), the Group was generally supportive of the changes and noted that a further change would be made to include motions and amendments requiring to be accurate. In terms of the proposal to circulate motions and amendments by 5pm the day before a meeting, the Group requested that this be changed to 4pm and agreed to a change in the</p>	<p>Check with People &amp; Citizen Services in terms of PVG checks for Councillors</p>	<p>Vikki Cuthbert</p>

	Item	Discussion	Action/Decision	By Whom
		<p>Standing Orders that they would only be circulated if competent.</p> <p>In terms of Standing Order 40 (Length of Meetings), it was explained that Council meetings could start earlier than 10.30am, however this did not need to be reflected in the Scheme of Governance and the example of the length of break in Standing Order 40.2 was only an example. Vikki explained that potentially restructuring how meetings are organised vis-à-vis a set time for questions, debate and taking votes at the end of meetings was quite a significant piece of work and the suggestion was that this be reported back to the July Council meeting. The Group was supportive of this approach.</p> <p>With regard to other matters not already covered in the Standing Orders, Vikki advised that it would be made clear that no other business could be added to the agenda for requisitioned meetings; that a template would be devised for requesting a special meeting; and that Councillors should have their cameras on when voting if participating via Teams and at all times for quasi-judicial meetings. The Group was supportive of these suggestions.</p> <p>In terms of motions/amendments which required the suspension of Standing Orders, it was explained that the Standing Orders would make it clear that the procedural aspect would require to be dealt with in the first instance. The Group was supportive of this suggestion, however Councillor Nicoll expressed his disagreement.</p> <p>With regard to business being dealt with at a reconvened meeting or deferred to a future meeting, the Group was advised of the proposal that no new motions or</p>		

	Item	Discussion	Action/Decision	By Whom
		<p>amendments could be submitted. The Group was supportive of this approach for reconvened meetings, however Councillor Nicoll felt it was overly restrictive in terms of business deferred to a future meeting and the Group agreed with Councillor Nicoll. The Group discussed options for circulating motions and amendments for requisitioned meetings and the notice required for these being 3 days. Officers agreed to continue working on this.</p> <p>The Group then moved on to consider the <b>Terms of Reference</b>. With regard to the power to establish working groups being reserved to Council, the Group agreed that committees should be able to establish working groups and requested that this change be made.</p> <p>In terms of the Anti-Poverty and Inequality Committee terms of reference, Councillor McLellan requested that consideration be given to the committee being able to review other areas (for example education and communities policies) and their impact with regard to poverty. Vikki responded that officers would look at that and include proposals.</p> <p>Vikki referred to the Audit, Risk and Scrutiny Committee terms of reference and the section on scrutiny in particular. She explained the background and that it was still being developed. The Group was comfortable with the proposals so far but acknowledged that further work was required. Councillor Nicoll expressed his concerns with regard to this aspect and left the meeting at this juncture.</p> <p>The Group moved on to consider the remaining documents, although it was acknowledged that there was a limited amount of time left in the meeting.</p>	<p>Review and potentially amend the terms of reference as described</p> <p>Further work required in terms of scrutiny aspect</p>	<p>Vikki Cuthbert</p> <p>Vikki Cuthbert</p>

	Item	Discussion	Action/Decision	By Whom
		<p>With regard to the <b>Powers Delegated to Officers</b>, the Group was supportive of the new power to the Chief Officer - Corporate Landlord with regard to the allocation of office accommodation for elected members.</p> <p>The Group noted the <b>Procedure Note for Elected Members Accessing Information</b> and expressed its approval. No further issues were raised with regard to the remaining documents.</p> <p>In terms of any other business, the Group discussed the committee annual effectiveness reports and felt that they should be issued to all Councillors as service updates at the end of the year rather than submitted individually to each committee and then to Council at the end of the process. There was also some discussion about the name of the Committee Business Planner and whether it could be renamed Committee Business Diary.</p> <p><b><u>The Group resolved:-</u></b> to agree that officers report the Scheme of Governance to the April Council meeting taking account of the various feedback summarised above.</p>	<p>Terms of Reference to be amended</p> <p>Report to Council in April</p>	<p>Vikki Cuthbert</p> <p>Vikki Cuthbert/ Martyn Orchard/ Steven Inglis</p>