

### Attendance

#### Members of the Governance and Ethics Committee

Cllr Rita Potter (Chair)  
Cllr Rohit Mistry (Vice-Chair)  
Cllr Milkinderpal Jaspal  
Cllr Lovinyer Daley  
Cllr Zee Russell  
Cllr Anwen Muston  
Cllr Wendy Thompson  
Cllr Jonathan Crofts

#### Employees

David Pattison	Chief Operating Officer
Michelle Rowe	Solicitor & Deputy Monitoring Officer
Laura Gittos	Head of Governance
Jas Kaur	Democratic Services & Systems Manager
Donna Cope	Democratic Services Officer

#### Observers

Cllr Paul Brookfield

## Part 1 – items open to the press and public

*Item No.*    *Title*

- 1 Apologies for absence**  
There were no apologies for absence.
- 2 Declarations of interest**  
There were no declarations of interest made.
- 3 Minutes of the previous meeting**  
That the minutes of the previous meeting held on 5 October 2023 be approved as a correct record.
- 4 Matters arising**  
There were no matters arising from the minutes of the previous meeting.
- 5 Changes to the Constitution**  
David Pattison, Chief Operating Officer, presented the report: Changes to the Constitution. The report provided an update in relation to the proposed changes

discussed at the special meeting of Governance and Ethics Committee on 5 October 2023. It was recommended that Council agreed to these amendments to ensure continuing lawfulness and effectiveness.

The Chief Operating Officer provided regional benchmarking data with respect to substitutes, as detailed in Appendix 8 of the report. It was recommended that the current position on substitutes was retained and where the specific Committee required training, the substitute must also have had that training to be eligible to be a substitute.

The recommendation was considered by Committee, and it was agreed that the current position on substitutes would be retained and reviewed in twelve months.

The Chief Operating Officer provided regional benchmarking data on call-ins, with respect to who could call-in a decision, as detailed in Appendix 8 of the report. It was recommended that the proposed number of members was retained and if problems arose, then a further report would be brought back to vary that number or provide other checks and balances.

The recommendation was considered by Committee, and it was agreed that the proposed number of members required to call-in a decision would be retained and reviewed in twelve months.

The Chief Operating Officer provided a protocol regarding questions from members of the public, as detailed in Appendix 9 of the report. It was recommended that the protocol be adopted from the next Council meeting.

The recommendation was considered by Committee.

The Chief Operating Officer responded to questions asked and it was agreed that the protocol be adopted and reviewed in twelve months.

The Chief Operating Officer provided regional benchmarking data regarding questions from members of the public, as detailed in Appendix 8 of the report. It was recommended that questions were focussed on members of the public who were residents, as the time allowed for questions was limited to 15 minutes under the constitution and to broaden the scope to more than just residents would potentially restrict the number of residents of the city able to ask questions. It was also recommended that only a suitable number of questions be added to the agenda which could be responded to within the relevant timeframe.

The recommendation was considered by Committee.

The Chief Operating Officer responded to questions asked and it was agreed that the recommendation be approved and reviewed in twelve months.

The Chief Operating Officer provided regional benchmarking data regarding right of reply, as detailed in Appendix 8 of the report. It was recommended that the current position was retained, as no other authority currently permitted a right to reply to written questions.

The recommendation was considered by Committee.

The Chief Operating Officer responded to comments made and it was agreed that the current position on right to reply be retained.

The Chief Operating Officer provided a Briefing Note regarding the Disclosure and Barring Service (DBS) requirements for Members, and a draft letter to the Secretary of State, as detailed in Appendix 10 of the report. It was recommended that the current legal position was noted, and the current proposed policy be adopted, but at the same time the Cabinet Member would write the proposed letter on behalf of the Council seeking a change to the law.

The recommendation was debated by Committee.

The Chief Operating Officer responded to the debate, and it was agreed that:

1. The current DBS Policy be updated to recognise that some members who were school governors had advanced DBS checks.
2. The current DBS Policy be adopted subject to the above amendment.
3. The Cabinet Member letter be amended to recognise that members often visited schools.
4. The Chief Operating Officer would co-ordinate a regional Monitoring Officer meeting to discuss the matter before the Cabinet Member letter was sent.

The Chief Operating Officer provided an update on the determination of Certificates of Lawfulness. It was reported that the Head of City Planning, Stephen Alexander, only knew of one such application over a period of many years that fell within that category.

It was recommended that the proposed change was agreed and that regular reports were taken to the Planning Committee on issuing of Lawful Development Certificates.

The recommendation was considered and agreed by Committee.

It was noted that the minor drafting recommendations made by members in relation to terminology used had been corrected and incorporated into Appendix 7a.

It was also noted that further work was required to the Officer Delegations, and therefore would not be submitted to Council for approval at this stage.

Councillor Rita Potter moved the recommendations and Councillor Milkinder Jaspal seconded the recommendations.

Resolved:

1. That that the current position on substitutes be retained and reviewed in twelve months.
2. That the proposed number of members required to call-in a decision be retained and reviewed in twelve months.
3. That the protocol for questions from members of the public be adopted and reviewed in twelve months.
4. That questions be focussed on members of the public who were residents and for this to be reviewed in twelve months.
5. That the current position on the right to reply be retained.

6. That the current legal position regarding Disclosure and Barring Service (DBS) requirements for Members be noted.
7. That the current DBS Policy be updated to recognise that some members who were school governors had advanced DBS checks.
8. That the current DBS Policy be adopted subject to the above amendment.
9. That the Cabinet Member letter be amended to recognise that members often visited schools.
10. That the Chief Operating Officer would co-ordinate a regional Monitoring Officer meeting to discuss the DBS matter before the Cabinet Member letter was sent.
11. That the proposed changes on issuing of Lawful Development Certificates be agreed and regular reports be taken to the Planning Committee.
12. That the minor drafting recommendations made by members in relation to terminology used had been corrected and incorporated into Appendix 7a.
13. That further work was required to the Officer Delegations, and therefore would not be submitted to Council for approval at this stage.

## 6 **Webcasting Data for Committee Meetings and Scrutiny Panels**

Jaswinder Kaur, Democratic Services and Systems Manager, presented the webcasting data for Committee Meetings and Scrutiny Panels. The Council's current webcasting system provides transparency and accountability in respect of the specific meetings webcast. The current system allows all to view public meetings live or from the archive for a period of 12 months.

The Democratic Services and Systems Manager added the webcast viewing data is for last municipal year and for the current municipal year so far. The Committee were provided with an overview of viewing figures.

The data was debated by Committee, and the Chief Operating Officer responded to the debate.

Resolved:

1. That the webcasting data for Committee Meetings and Scrutiny Panels be noted.

## 7 **Update on Linked Bodies Governance**

Resolved:

1. That the item be deferred to the next meeting.