

Meeting	Audit and Governance Committee
Date	14 October 2024
Present	Councillors Hollyer (Chair), J Burton (Vice-Chair (from 5:37pm)), Fisher, Mason, Merrett, Rose and Moroney (Substitute for Cllr Whitcroft)
Apologies	Councillor Whitcroft and Mr Binney (Independent Person)
In Attendance	Councillor Steward (until 6:28pm)
Officers in Attendance	Bryn Roberts, Director of Governance and Monitoring Officer

---

## Part A Minute

### 33. **Declarations of Interest (5:32 pm)**

At this point in the meeting, Members were asked to declare any disclosable pecuniary interests, or other registrable interests, they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. None were declared.

### 34. **Minutes And Action Log (5:32 pm)**

Resolved: That the minutes of the meetings held on 8 August 2024 and 4 September 2024 be approved and then signed by the Chair as a correct record subject to amending the 4 September 2024 minutes at point 32, iv), delete the word 'comprised' and insert 'included'.

In regards to the action log, it was noted that action 66 and 67 were included on the work plan for the 27 November 2024 meeting and it was likely that action 69 would now be presented in 2025.

### **35. Public Participation (5:32 pm)**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme but that one written representation had been received and published online as an agenda supplement regarding agenda item 4, report of the Monitoring Officer on suggested constitutional changes.

### **36. Report of the Monitoring Officer on Suggested Constitutional Changes (5:36 pm)**

**[See also under Part B]**

Members considered a report that provided the first tranche of suggested constitutional changes to the committee for consideration and discussion.

The Director of Governance and Monitoring Officer confirmed that he had sought the views of the Labour Group, Liberal Democrat Group, Conservative Group, and Councillor Warters in respect of the proposed changes to the Council Procedure Rules protocol. Following receipt of comments, a consolidated table, together with clarifications from the Monitoring Officer, had been devised and published as an agenda supplement.

The committee discussed the collated comments received, noting that:

- Paragraphs 1.2, 4.3 (a) and 5.1 had been accepted by all Groups.
- The revisions made to paragraphs 9.3, 10.11, 13.1, B3 1 (m), B11 2 (m), B12 2, B13 1, B13 3 had been circulated and accepted.
- Paragraphs 9.1, B8, B9, B10, B11, B10 1, B10 2, B10 3, B10 7, B13 (10,11 & 12), B12 1, B17 2 had been accepted subject to incorporating the agreed amendments.
- Paragraphs B3 1 and B13 3 (f) had been agreed by all Groups but the committee had further comments to make when also discussing the points of contention in paragraphs 4.3 (c), 7.2, 10.8, 10.9, 11.3, B 7 1, B 11 2 (o).

Following further discussion, the committee reached a consensus on the points of disagreement as below, which would be endorsed to Full Council along with the agreed proposed changes to the Council Procedure Rules:

- The proposed amendments to paragraphs 4.3 (c), 7.2, 10.9, 11.3 and B11 2 (o) should not be accepted.
- The Liberal Democratic Group were content with the position set out in paragraph 10.8 following the latest exchange with the Leader.
- All Groups were content with reducing the time allowed for the Opposition Group Leaders to respond (B 7 1).
- B3 1 to be amended to 35 minutes and revisited if required.
- Change wording from 'must' to 'should, where possible,' in paragraph B13 3 (f).

The committee noted that it was not a legal requirement to send the summons to all Honorary Aldermen and Alderwomen and following discussion, the committee agreed that they should be informed annually on the dates of Full Council.

The Constitution Working Group and all political Groups were thanked for their contributions and the Director of Governance explained that following discussion with Group Leaders, there was a proposal for a revised way of the Constitution Working Group operating to help streamline and reach a conclusion faster. This process would involve the Director of Governance preparing a revised draft of part of the Constitution, which would then be circulated to the Constitution Working Group. Members of the Constitution Working Group would then refer the revised draft to their Groups for key points of agreement and disagreement, and would then convene to complete revisions to the document before referring the matter to Audit and Governance Committee for endorsement and onward referral to Council.

Resolved:

- (i) That the proposed changes to the Council Procedure Rules be considered and endorsed, other than the points of contention, and remit those changes to the meeting of Full Council on 21 November 2024 for approval.
- (ii) That the points of contention be considered and remitted as above to the meeting of Full Council on 21 November 2024 for decision.

- (iii) That all Honorary Aldermen and Alderwomen be informed annually on the dates of Full Council.
- (iv) That the future process for constitutional revisions be agreed.

Reason: To allow council to determine the proposed constitutional changes.

### **37. Audit and Governance Committee Work Plan (6:28 pm)**

The committee considered their work plan for the 2024/25 municipal year.

The committee were informed that they would have the opportunity to meet privately with the council's external auditors, Forvis Mazars, ahead of the start of the next meeting on 27 November 2024, and that an update on the Independent Person recruitment and on the Polling District and Polling Place review would be received at the next meeting.

Resolved: That the work plan be noted and revised to include an update of the internal audit investigation of the council's contract management provisions, and that a York Open Data update be included for consideration.

Reason: To ensure the committee maintained a programme of work for 2024/25.

## **Part B Minute - Recommended to Council**

### **36. Report of the Monitoring Officer on Suggested Constitutional Changes**

#### **[See also under Part A]**

Members considered a report that provided the first tranche of suggested constitutional changes to the committee for consideration and discussion.

The Director of Governance and Monitoring Officer confirmed that he had sought the views of the Labour Group, Liberal Democrat Group, Conservative Group, and Councillor Warters in respect of the proposed changes to the Council Procedure Rules protocol. Following receipt of comments, a consolidated table, together with clarifications from the Monitoring Officer,

had been devised and published as an agenda supplement.

The committee discussed the collated comments received, noting that:

- Paragraphs 1.2, 4.3 (a) and 5.1 had been accepted by all Groups.
- The revisions made to paragraphs 9.3, 10.11, 13.1, B3 1 (m), B11 2 (m), B12 2, B13 1, B13 3 had been circulated and accepted.
- Paragraphs 9.1, B8, B9, B10, B11, B10 1, B10 2, B10 3, B10 7, B13 (10,11 & 12), B12 1, B17 2 had been accepted subject to incorporating the agreed amendments.
- Paragraphs B3 1 and B13 3 (f) had been agreed by all Groups but the committee had further comments to make when also discussing the points of contention in paragraphs 4.3 (c), 7.2, 10.8, 10.9, 11.3, B 7 1, B 11 2 (o).

Following further discussion, the committee reached a consensus on the points of disagreement as below, which would be endorsed to Full Council along with the agreed proposed changes to the Council Procedure Rules:

- The proposed amendments to paragraphs 4.3 (c), 7.2, 10.9, 11.3 and B11 2 (o) should not be accepted.
- The Liberal Democratic Group were content with the position set out in paragraph 10.8 following the latest exchange with the Leader.
- All Groups were content with reducing the time allowed for the Opposition Group Leaders to respond (B 7 1).
- B3 1 to be amended to 35 minutes and revisited if required.
- Change wording from 'must' to 'should, where possible,' in paragraph B13 3 (f).

The committee noted that it was not a legal requirement to send the summons to all Honorary Aldermen and Alderwomen and following discussion, the committee agreed that they should be informed annually on the dates of Full Council.

The Constitution Working Group and all political Groups were thanked for their contributions and the Director of Governance explained that following discussion with Group Leaders, there was a proposal for a revised way of the Constitution Working Group operating to help streamline and reach a conclusion faster. This process would involve the Director of Governance preparing a revised draft of part of the Constitution, which would

then be circulated to the Constitution Working Group. Members of the Constitution Working Group would then refer the revised draft to their Groups for key points of agreement and disagreement, and would then convene to complete revisions to the document before referring the matter to Audit and Governance Committee for endorsement and onward referral to Council.

Recommended:

- (i) That the proposed changes to the Council Procedure Rules be endorsed, other than the points of contention, by Full Council on 21 November 2024.
- (ii) That the points of contention be remitted as above to the meeting of Full Council on 21 November 2024 for decision.

Reason: To allow council to determine the proposed constitutional changes.

Cllr Hollyer, Chair

[The meeting started at 5.32 pm and finished at 6.34 pm].