

Public Document Pack

Full Council Wednesday, 26 July 2023 Additional Information Pack

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Agenda Annex

COUNCIL	AGENDA ITEM No. 4
26 JULY 2023	SUPPLEMENTARY REPORT

MAYOR'S ANNOUNCEMENTS - UPDATE

1. PURPOSE OF REPORT: FOR INFORMATION

This report is a brief summary of the Mayor's activities on the Council's behalf during the last meetings cycle, together with relevant matters for information. (Events marked with * denotes events attended by the Deputy Mayor on the Mayor's behalf).

This updated version of the report has been issued in order to provide further information in relation to the Deputy Mayor's attendance at events.

2. ACTIVITIES AND INFORMATION – From 22 June 2023 – 26 July 2023

Attending	Event	Venue
Mayor and Mayoress	Civic Leaders open day	RAF Molesworth
Mayor and Mayoress	Annual Formal Reception	RAF Wittering
Mayoral Party	Armed Forces Day	Cathedral Square
Mayor and Mayoress	Grand opening of charity shop	Orton Southgate
Mayor and Mayoress	Opening of Rail world Wildlife Haven	Rail world Wildlife Haven
Mayor and Mayoress	High Sheriff's summer reception	North Brink Wisbech
Mayor and Mayoress	Defending Human Rights on Immigration issues	Holiday Inn
Mayor and Mayoress	Independence Fireworks Event	RAF Alconbury
Mayor	Bondholder Breakfast	Lynchwood park
Mayor and Mayoress	St Johns Church Patronal Festival	St Johns Church
Mayor and Mayoress	75 Years NHS Celebrations meet the staff	Peterborough City Hospital
Mayor and Mayoress	Community Champions Alliance	Peterborough Regional College
Mayor and Mayoress	Civic Prayer Breakfast	Bretton Baptist Church
Mayor and Mayoress	Peterborough Anglo French Association	St Andrews Church
Mayor	Mayors Open Day	Town Hall Reception
Mayoral Party	Italian Festival	Italian Community Association
Mayor and Mayoress	Inter Community Symposium	Weston Homes Stadium
Mayor and Mayoress	US Forces Visit	Mayors Parlour
Mayor and Mayoress	Meeting the MP of Peterborough	Westminster
Mayor and Mayoress	Pakistan Cultural Day	Springfield Conference centre
Mayor and Mayoress	Citizenship Ceremony	Council Chamber
Mayor and Mayoress	Stakeholder Info Event	Ferry Meadows
Mayor and Mayoress	Clayburn Court Summer Fete	Clayburn Court

Attending	Event	Venue
* Deputy Mayor and Deputy Mayors Consort	Fly the flag 75 years Windrush	Town Hall
* Deputy Mayor and Deputy Mayors Consort	Nova School new name Launch event	Nova School
* Deputy Mayor and Deputy Mayors Consort	Sudanese Community and Eid Launch	Fitzwilliam Street
* Deputy Mayor and Deputy Mayors Consort	Queen Katherine Academy Art Exhibition	Mountsteven Ave
* Deputy Mayor and Deputy Mayors Consort	Family Hub Launch at Steps Child and Family Centre,	Welland Dogsthorpe
*Deputy Mayor and Deputy Mayors Consort	Civic Service for Margaret Wilkinson Mayor of Kings Lynn.	Kings Lynn
*Deputy Mayor and Deputy Mayors Consort	Citizenship Ceremony	Town Hall
*Deputy Mayor and Deputy Mayors Consort	Green Flag Awards winners Ceremony	The Holiday Inn

**FULL COUNCIL 26 JULY 2023
QUESTIONS AND ANSWERS**

Questions were received under the following categories:

<u>PUBLIC PARTICIPATION</u>	
<u>Questions from members of the public</u>	
1.	<p>Question from John Bradshaw</p> <p>Councillor Simons, Cabinet Member for Infrastructure, Environment and Climate Change</p> <p>Peterborough City Council (PCC) has adopted an Armed Forces Covenant (AFC) This provides for the promotion of "fair access to a wide range of services" including Health.</p> <p>Please explain how the failure to provide a regular bus service to Wittering is consistent with the principles of the AFC.</p>

COUNCIL BUSINESS

Questions on notice to:

- a. The Mayor
- b. To the Leader or Member of the Cabinet
- c. To the Chair of any Committee or Sub-committee

1. Question from Cllr John Fox (1)

Councillor Simons, Cabinet Member for Infrastructure, Environment and Climate Change

I've noticed volunteers are working to clear the overgrown grassed areas around our city's footpaths as it is encroaching over the pathways, especially at this time of year.

Although this is laudable work they are doing, I ask the question why are they having to do this, other than a sense of loving where they live and wanting to improve their own areas? This is a city-wide issue, not just my Werrington ward.

What is the cabinet member going to do about organising Aragon to do this work as it should not be down to council tax paying volunteers to carry out the maintenance of our footpaths.

2. Question from Cllr Skibsted

Councillor Simons, Cabinet Member for Infrastructure, Environment and Climate Change

It appears to be council policy from the Tree Department that if trees on council land overhang residents' gardens or property, the residents are responsible for cutting back the overhang, unless there is an issue of disease or safety. This may be due to a cutback to funding in the Tree department where many large trees are no longer regularly maintained. Many residents have approached me regarding very large trees which completely overshadow their gardens or are hanging over their properties, causing much inconvenience to them.

Many of these residents are elderly or disabled and also have no funds to employ an arborist to do the work - several of these trees are very high and would need specialist equipment. This is happening across the city. It seems very unreasonable to expect residents to bear the cost of maintaining council owned trees on council land and many are simply unable to afford to do so. What will the council do to assist in this matter?

3. Question from Cllr Mohammed Farooq

Councillor Coles, Cabinet Member for Legal, Finance and Corporate Services

In this month's Cabinet meeting (10 July 2023), it was revealed there is a budget shortfall of a further £5m and rising. Will the relevant cabinet member please explain

	to the council, how such a large amount has come to light (all of a sudden) and what services is he proposing to cut, to make up for this shortfall?
4.	<p>Question from Cllr Howard (1)</p> <p>Councillor Coles, Cabinet Member for Legal, Finance and Corporate Services</p> <p>It has been reported in the press that the opening of the Hilton hotel is further delayed to Summer 2024. Can the relevant cabinet member explain to this council how much has been drawn by the hotel and how many payments have been made to PCC. What will happen now with the most recent extension of the loan till the end of 2023?</p>
5.	<p>Question from Cllr Harper</p> <p>Councillor Fitzgerald, Leader of the Council and Cabinet Member for Adults Services and Public Health</p> <p>Land registry documents reveal the Vine building has cost the council £3.97m. The leader is now intending to sell this property. Can the leader assure the council this building will be sold for more than £3.97m and therefore no losses will be picked up by our residents?</p>
6.	<p>Question from Cllr Iqbal</p> <p>Councillor Coles, Cabinet Member for Legal, Finance and Corporate Services</p> <p>We are finding that more and more of the Council's committee and Cabinet report are coming out with vital information held back under the exemption law, the latest being the legal advice received around a recent planning committee application. Our residents deserve a more transparent council. Can I ask the leader of the administration, what steps is he proposing to take, for this council to be more transparent?</p>
7.	<p>Question from Cllr Qayyum (1)</p> <p>Councillor Fitzgerald, Leader of the Council and Cabinet Member for Adults Services and Public Health</p> <p>Given the changes to the Cabinet roles and appointments of Advisors to each Portfolio, can the Cabinet Member for Adults and Health Scrutiny give us a reason as to why there was no representation from either Cabinet Member or advisors at the First Adults and Health Scrutiny meeting of the Municipal year? As all roles are remunerated at the cost of the tax paying people of this city.</p>
8.	<p>Question from Cllr Elsey</p> <p>Councillor Coles, Cabinet Member for Legal, Finance and Corporate Services</p> <p>A few years ago, we were told by this administration that merger with Cambridgeshire was the best and most efficient way of delivering services to our residents. The same administration is now de-coupling the delivery of these services from Cambridgeshire.</p>

	<p>Can I ask the relevant cabinet member, what is the cost of this failed experiment so far? How much extra money will it cost to run the new de-coupled services?</p>
9.	<p>Question from Cllr Qayyum (2)</p> <p>Councillor Cereste, Cabinet Member for Growth and Regeneration</p> <p>Can the relevant Cabinet member inform us as to whether the proposed development of the Station Quarter and Funding allocated from Central Government will be used for the development of the Railway Station in isolation or will there be other sites redeveloped inclusive to this project such as the adjacent footbridge on Thorpe Road and Prominent buildings within the vicinity? Could we have the details of the extent of the proposals, please?</p>
10.	<p>Question from Cllr Howard (2)</p> <p>Councillor Fitzgerald, Leader of the Council and Cabinet Member for Adults Services and Public Health</p> <p>Following the recent in-depth review within the Conservative group of Cabinet Member meeting attendance, I wondered if the Leader could explain why 4 members of the Cabinet were absent from the Full Cabinet meeting on 10th July?</p>
11.	<p>Question from Cllr John Fox (2)</p> <p>Councillor Fitzgerald, Leader of the Council and Cabinet Member for Adults Services and Public Health</p> <p>One of the most bizarre moments in my time as a councillor has been, when this leadership proposed a recommendation of all-out elections and then voted against it - one can only assume for political reasons, at the expense of the taxpayer. Can the leader explain to the council, his full plan on all-out elections for next year.</p>

	<u>Questions on notice to:</u> d. The Combined Authority Representatives
1.	None.

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COUNCIL MEETING 26 JULY 2023

ALTERATION TO THE MOTION FROM COUNCILLOR COLE

“Care experienced people face significant barriers that impact them throughout their life-whether it be societal stigma, self-doubt, trauma, depression, attachment disorders, trust issues or finding a sense of ‘where they belong’. Many care leavers, and despite the resilience of many care experienced people have had no choice but to develop, society all too often does not take these added barriers in to account. Peterborough needs to be a city that shatters these barriers.

Housing, health, finance, education, positive relationships, employment and involvement in the criminal justice system care experienced people may encounter inconsistent support in different geographical areas. In plain English, it can be a Post Code Lottery. As corporate parents, all Peterborough City Councillors have a collective responsibility for providing the best possible care, safeguarding and life chances for the children who are looked after by us as an authority. Being placed in care is not their fault and should not cause continued lifelong problems.

All Peterborough City Council Corporate Parents should commit to acting as mentors, hearing the voices of looked after children and young people and to consider their needs in all aspects of our council work. All our wards within Peterborough will benefit from this motion being proposed.

All Councillors should be champions of the children in our care and challenge the negative attitudes and prejudice that exists in all aspects of society. The Public Sector Equality Duty (2010) requires public bodies, such as councils, to eliminate unlawful discrimination, harassment, and victimisation of people with protected characteristics. I would like Peterborough City Council to give Care Leavers a Protected Characteristic status.

Council therefore notes that:

- Care experienced people are a group who are likely to face discrimination.

- Councils have a duty to put the needs of disadvantaged people at the heart of decision-making through co-production and collaboration.

Council agrees to:

- **Annually publish all statistical information relating to people who share a protected characteristic in services and employment alongside other equality data.**
- **Formally call upon all other public bodies to treat care experience as a protected characteristic until such time as it may be introduced by legislation.**

Council requests that Cabinet commit to:

- ~~The possibility~~ **Future decisions, services and policies made and adopted by this Council being assessed through Equality Impact Assessments to determine the impact of changes on people with care experience, alongside those who formally share a protected characteristic.**
- **Including care experience in the publication and review of Equality Objectives, in the delivery of the Public Sector Equality Duty the Council.**
- **Treating care experience as a as a Protected Characteristic.**
- ~~Working together to establish where services and departments are combined with Cambridgeshire, that all care leavers within the Peterborough and Cambridgeshire will treat all Care Leavers similarly.~~
- **To continue to proactively seek out and listen to the voices of care experienced people when developing new policies based on their views.”**

FIRE AUTHORITY – PETERBOROUGH CITY COUNCIL MEMBERSHIP
2023 - 2024

CAMBRIDGESHIRE AND PETERBOROUGH FIRE AUTHORITY (4) (2:1:1:0:0)

Conservative	Labour	PF	Lib Dem	Green	Non-Aligned
Over Warren	Jamil	Howard	N/A	N/A	N/A
NO SUBS					

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COUNCIL	AGENDA ITEM No. 13(d)
26 JULY 2023	SUPPLEMENTARY REPORT

Report of:	Matthew Gladstone, Chief Executive	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Legal, Finance and Corporate Services	
Contact Officer(s):	Rachel Edwards, Head of Constitutional Services	Tel. 452277

ESTABLISHMENT OF AN INDEPENDENT PANEL - UPDATE

RECOMMENDATIONS	
FROM: Chief Executive	Deadline date: N/A
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Approve the establishment of an Independent Panel. 2. Approve the terms of reference as set out in Appendix 1, for inclusion in the constitution. 3. Approve the subsequent changes to the constitution as set out in paragraph 2.3. 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to establish an Independent Panel to fulfil its role in statutory dismissal procedures.
- 1.2 This updated version of the report has been issued in order to provide clarification to paragraphs 2.2.6 and 2.3.2.

2. BACKGROUND AND KEY ISSUES

2.1 Independent Person

- 2.1.1 The need for an 'Independent Person' was introduced by the Localism Act 2011 (the Act) on 1 July 2012 as part of the current standards regime. Under the Act, the Council must appoint an Independent Person whose views may be sought and taken into account by the Council, as delegation to the Constitution and Ethics Committee, before it makes its decision on an allegation that it has decided to investigate.
- 2.1.2 The Council appoints an Independent Persons annually at its Annual Council meeting. At the Annual Council meeting on 22 May 2023 Gillian Holmes was appointed as the Council's Independent Person.

2.2 Independent Panel

- 2.2.1 In 2015, statutory dismissal procedures relating to the Head of Paid Service, Monitoring Officer, and Section 151 Officer were amended and a new role was created for Independent Persons.
- 2.2.2 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 amended The Local Authorities (Standing Orders) (England) Regulations 2001 and required that dismissal

decisions (other than for reasons of redundancy and ill-health) relating to the statutory officers have to be taken by Council, who, before taking a vote on whether or not to approve such a dismissal, must take into account, in particular, and among other things, any advice, views or recommendations of the Independent Panel.

This was noted at a Full Council meeting held on 15 July 2015 and the constitution updated.

2.2.3

The regulations state, however, that the Independent Panel must be appointed by Council as an advisory committee under s102(4) of the Local Government Act 1972 for the purposes of advising the Council on matters relating to the dismissal of the statutory officers.

2.2.4

Therefore, in order for the process to be followed as regulations dictate, the Council must determine the establishment of the Independent Panel, including the creation of terms of reference (**Appendix 1**), which set out the membership and functions of the panel.

2.2.5

Further to this, and as identified in the terms of reference, the Monitoring Officer, the Head of Paid Service, or the Deputy Monitoring Officer where it is inappropriate for the Monitoring Officer to do so because of conflict will appoint Independent Persons to the panel to sit as and when required, in accordance with Appendix 1 – Independent Panel Terms of Reference.

2.2.6

Amendments to the Constitution

2.3

In order to ensure that the Council's constitution accurately reflects the position as set out in the Regulations, the below amendments are required.

2.3.1

Part 2 – Article 4 – Articles of the Constitution

2.3.2

- j) Confirm the appointment and dismissal of the Chief Executive;
- k) Confirm the appointment and dismissal of the Head of Paid Service Chief Executive, Monitoring Officer, and/or the Chief Finance Officer and in the case of a dismissal following a recommendation from the which has been considered by the Independent Panel which shall include at least 2 independent persons;
- l) Establish an Independent Panel for the purposes of considering and commenting upon and proposal to dismiss any statutory officers;
- m) Appointment of Independent Person to the Council;

Part 3 – Section 1 - Functions Reserved to the Council

2.3.3

- 1.3.8 To appoint and dismiss 'statutory 'proper officers'; ~~for particular purposes including~~ the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer.

Part 4 – Section 9 – Officer Employment Procedure Rules

2.3.4

6. DISCIPLINARY ACTION & DISMISSAL OF THE HEAD OF PAID SERVICE, CHIEF FINANCE OFFICER AND MONITORING OFFICER

6.1 The full Council will consider ~~approve~~ the dismissal of the Head of Paid Service, Chief Finance Officer and/or Monitoring Officer following a relevant recommendation of ~~dismissal by from~~ which has been considered by the Independent Panel.

6.2 The Independent Panel will be established on annual basis by Council meeting, as per the Local Government Act 1972, section 102(4).

3. CORPORATE PRIORITIES

3.1 The recommendation links to the following Council Corporate Priorities:

- Sustainable Future City Council
 - How we Work

3.2 Further information on the Council's Priorities can be found here - [Link to Corporate Strategy and Priorities Webpage](#).

4. CONSULTATION

4.1 No formal consultation is required for this decision, as it is a statutory requirement to establish an independent panel fulfil its role in statutory.

5. IMPLICATIONS

Financial Implications

5.1 The financial implications of this report will result from the remuneration paid to any Independent Person appointed to the independent panel. The current annual remuneration for the Council's Independent Person is £1,000.

Legal Implications

5.2 The legal implications are set out in the body of the report.

Equalities Implications

5.3 There are no equalities impacts directly arising from this report.

6. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- Council Report 15 July 2015 – 'Local Authorities (Standing Orders) (England) Amendment Regulations 2015'
- Local Government Act 1972
- The Local Authorities (Standing Orders) (England) Regulations 2001
- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

7. APPENDICES

7.1 Appendix 1 – Independent Panel Terms of Reference

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