

PETERBOROUGH



**MINUTES OF THE CONSTITUTION AND ETHICS COMMITTEE MEETING
HELD AT 6:00PM, ON
WEDNESDAY, 9 MARCH 2021
SAND MARTIN HOUSE, PETERBOROUGH**

Present: Councillors Fitzgerald (Chair) Bashir (Vice-Chair), Allen, Simons, Jamil, and Hogg

Officers in

Attendance: Dan Kalley, Senior Democratic Services Officer

Also in

Attendance Virtually: Councillor Sandford, Liberal Democrat Group Leader
Sue Proctor, Executive and Member Support Manager
Fiona McMillan, Director of Law and Governance and Monitoring
Officer

22. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jones and Sandford. Councillor Hogg attended as substitute. Councillor Sandford joined the meeting virtually as Group Leader.

23. DECLARATIONS OF INTEREST

There were none.

24. MINUTES OF THE MEETING HELD ON 22 NOVEMBER 2021

The minutes of the meeting held on 22 November 2021 were agreed as a true and accurate record.

25. GOVERNANCE REVIEW

The Constitution and Ethics Committee received a report in relation to the Governance Review as detailed in the Improvement Plan agreed at Full Council in December 2021.

The Director of Law and Governance and Monitoring Officer introduced the report and stated that this report was being presented to committee as part of the commitment to undertake a review of the governance arrangements at the Council. The report set out a number of options that the committee could recommend including re-visiting the review that was undertaken in 2016 in conjunction with the Centre for Governance and Scrutiny.

The Chair proposed that the item be deferred to the first meeting of the next Municipal year so that all parties and groups could look at the report in detail and think of suggestions going forward.

The Constitution and Ethics Committee debated the report and in summary the key points raised and responses to questions included:

- As part of the independent reports into the running of the Council a commitment was given to undertake a review of the governance arrangements. If the item was to be deferred an assurance would need to be given that the review was still going to take place.
- Members were informed that the administration were serious about reviewing the governance structures at the Council, however it was important for all groups to go away and review the report and feedback to the Monitoring Officer their views so that the review could be as comprehensive as possible.

The Constitution and Ethics Committee considered and **RESOLVED** (unanimous) to defer the Governance Review report to first meeting of the committee in the next municipal year.

26. UPDATE TO CIVIC PROTOCOL

The Constitution and Ethics Committee received a report in relation to updates to the Civic Protocol.

The Executive and Member Services Manager introduced the report and stated that the report outlined changes to the honours panel criteria which needed to be agreed before going back to Full Council in June. This change outlined that the panel would be made up from cross party members.

The second element of the report outlined a proposed change to the wearing of the Mayor's robes at Full Council meetings and civic events. It was noted that the change allowed the incumbent Mayor to decide whether or not wear the robes. In addition it was noted that the civic insignia was still to be worn.

The Constitution and Ethics Committee debated the report and in summary the key points raised and responses to questions included:

- The Mayors robes were not very comfortable and the proposed changes would allow the Mayor to decide whether to wear the robes or not.
- There was opposition to the proposal as it was thought the traditions needed to be kept. The role was one of respect and these values needed to be upheld.
- In terms of the Honours panel it was good to see the reference to the Lib Dems not wanting to sit on the panel was removed. The inclusion of this panel in the constitution was welcomed.
- Members agreed that the wording in section 15.2 needed to be amended to ensure that cross party members could sit on the panel.
- In terms of proportionality this was to be looked at further, but the general consensus was for the panel to follow political proportionality.
- In terms of addressing the Mayor as Mayor followed by surname versus Mr or Madam Mayor there had been a split of opinion. In general the Conservative group preferred the tradition of addressing the Mayor as Mr or Madam Mayor.
- It was noted that the Communities Scrutiny committee report into equalities had been amended to allow the Mayor the option of how they wished to be addressed and that was the best outcome.

The Constitution and Ethics Committee considered and **RESOLVED** (unanimous) that the Honours Panel needed to be made up of cross-party members and that this needed to be agreed with regards to proportionality.

The Constitution and Ethics Committee considered and **RESOLVED** (Unanimous) that for the current time:

1. the Civic Protocol not be changed with regards to the wearing of robes and civic insignia at Council meetings and Civic events.
2. the addressing of the Mayor as Mr or Madam' at informal events and Council meetings to remain.

27. COUNCIL QUESTION PROCESS – WARD SPECIFIC QUESTIONS

The Constitution and Ethics Committee received a report in relation to the process of Council questions in particular ward specific questions.

The Director of law and governance introduced the report published and changes being made to give more time to debate motions and questions. Objecting to reconsider and elected to represent ward and should be able to ask question

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The Constitution and Ethics Committee debated the report and in summary the key points raised and responses to questions included:

- It was understandable why this scheme was brought in to try and help the Full Council meeting running. The issue was around situations where ward questions were being asked that had been altered so that it was applicable to other wards.
- It was an important part of being a ward councillor to have the ability to represent their constituents at Full Council meetings. At the current time a ward specific question would only receive a written answer.
- It was felt that the original scheme should be re-instated so that all questions could be asked at Full Council. The time allocated for asking questions could be extended from 30 minutes to 40 minutes as a suggestion.
- Although it was important not to waste council time, it was essential that question could be asked. More work around the processes for submitting questions and limiting the number of questions on a particular subject might reduce the number of duplicate questions being on the agenda.
- Some members were minded to leave the current system for ward questions, but that a further report on the overall way questions were asked at Full Council be brought back to committee in the next municipal year.
- There was an argument that the number of questions should be reduced, however that was a discussion for a future meeting.
- Members agreed that a report on the overall structure of Full Council meetings be submitted to the committee in the next municipal year.

The Constitution and Ethics Committee considered and **RESOLVED** (3 for 2 against) to leave the processes for ward specific questions as stated in the Council standing orders.

28. DISPENSATIONS ISSUES

The Constitution and Ethics Committee considered and **RESOLVED** (Unanimous) to note that there had been no dispensations granted since the last meeting

29. UPDATE ON NATIONAL ISSUES

The Constitution and Ethics Committee considered and **RESOLVED** (Unanimous) to note that there had been no further updates since the last meeting.

30. CODE OF CONDUCT COMPLAINTS RECEIVED SINCE NOVEMBER 2021

The Constitution and Ethics Committee received an update report on the code of conduct complaints received by the Monitoring Officer since the last meeting in November 2021.

The Constitution and Ethics Committee considered and **RESOLVED** (Unanimous) to note the report on complaints received/being handled by the Monitoring Officer since the Committee's last meeting in November 2021.

31. WORK PROGRAMME, FUTURE DATES AND MEMBER ISSUES

The Constitution and Ethics Committee received a report in relation to the Committee's Work Programme for the Municipal Year 2022/23.

The Senior Democratic Services Officer introduced the report and confirmed that the work programme was up to date for the next municipal year and items could be added at any stage. The Governance Review would be brought back to committee once all groups had reviewed the original report.

The Constitution and Ethics Committee considered and **RESOLVED** (unanimous) to note the Committee's work programme as at 9 March 2022.

6:00pm – 7.00pm

Chairman