

CONSTITUTION AND ETHICS COMMITTEE

MONDAY 17 JULY 2023
6.00 PM

Council Chamber

AGENDA

	Page No
1. Apologies for Absence	
2. Minutes of the Meeting held on 27 February 2023	3 - 8
3. Members Declaration of Interests	
<p>At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Director of Law and Governance.</p>	
4. National Honours	9 - 12
5. Governance Review update	13 - 18
6. Council Champions	19 - 54
7. Honours Panel	55 - 58
8. Appointment of the Honorary Recorder of the City of Peterborough	59 - 62
9. Dispensations Issues	
<p>To note there have been no dispensations granted since the last meeting.</p>	
10. Report on Code of Conduct Issues	63 - 66
11. Work Programme 2023/ 2024	67 - 72

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair. In the event of a continuous alarm sounding remain seated and await instruction from the duty Beadle.

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<http://democracy.peterborough.gov.uk/ecSDDisplay.aspx?NAME=Protocol%20on%20the%20use%20of%20Recording&ID=690&RPID=2625610&sch=doc&cat=13385&path=13385>



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Karen Dunleavy on 01733 452233 as soon as possible.

Committee Members:

Councillors: Coles, P Hiller (Chairman), M Jamil, Jones, Sainsbury (Vice Chairman), N Sandford and Simons

Substitutes: Councillors: W Fitzgerald, A Shaheed and Thulbourn

Further information about this meeting can be obtained from on telephone 01733 452233 or by email – karen.dunleavy@peterborough.gov.uk

**MINUTES OF THE CONSTITUTION AND ETHICS COMMITTEE MEETING
HELD AT 6PM, ON
MONDAY, 27 FEBRUARY 2023
BOURGES/VIERSEN ROOMS, TOWN HALL, PETERBOROUGH**

Committee Members Present: Sandford (Chair), Jamil (Vice-Chair), Councillors Coles, Alison Jones, Fitzgerald, Sainsbury and Simons

Officers Present: Rochell Tapping, Director Law and Governance
Sue Proctor, Executive and Member Services Manager
Pippa Turvey, Democratic and Constitutional Services Manager
Karen Dunleavy, Democratic Services Officer

Also in attendance: Cllr Hogg as Group Leader

44. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

45. DECLARATIONS OF INTEREST

There were no Declarations of Interests received.

46. MINUTES OF THE CONSTITUTION AND ETHICS COMMITTEE MEETING HELD ON 21 NOVEMBER 2022

The minutes of the meeting held on 21 November 2022 were agreed as a true and accurate record.

47. TIMETABLE FOR REVIEWING PETERBOROUGH CITY COUNCIL CONSTITUTION

The Constitution and Ethics Committee received a report in relation to the proposed review of the Council's Constitution.

The purpose of this report is to provide an overview of the anticipated timeline for a full review of Peterborough City Council's constitution. In addition, changes were to be made to the contract procedural rules in terms of procurement services, which could not wait until the review of the Constitution.

The Director of Law and Governance introduced the report and asked Members to consider the proposals and recommend to Full Council that the Director Law and Governance to make changes to the Contract Rules.

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

- Members were informed that there was a Centre for Governance and Scrutiny (CfG) proposal underway to review scrutiny functions. The outcome of the Constitution and Ethics Governance Review working group would be fed into the CfGS exercise and reported back to the Committee.

The Constitution and Ethics Committee considered the request and **RESOLVED** (Unanimous) to:

1. Note the proposed timetable for a full review of the Council's constitution, as set out in section six of the report.
2. Recommended to Council that authority be delegated to the Director of Law and Governance & Monitoring Officer to make any necessary changes to the Contract Rules, following the implementation of revised procurement procedures.

ACTIONS AGREED

The Committee noted the report and **AGREED** to note the report and recommended to Council that the Director of Law and Governance & Monitoring Officer make any necessary changes to the Contract Rules, following the implementation of revised procurement procedures.

48. PROCESS FOR APPOINTMENT TO OUTSIDE BODIES

The Constitution and Ethics Committee received a report in relation to agree a process for appointments to outside bodies.

The purpose of this report is to provide the proposals to set out the appointment process to outside bodies and to recommend approval onto Full Council.

The Director of Law and Governance introduced the report and asked members to consider the process and recommend the preferred option onto Council as set out in the report.

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

- Members were advised that option one set out in the report would impose that appointments were finally decided by Full Council and option two would keep authority with the Leader, which was the current system of approval.
- Some Members felt that the current system of Outside Bodies appointments had worked well and should remain in place, however, other Members felt that final approval should be made by Full Council.
- Members commented that the request had only related to appointments that fell outside of community engagement. Furthermore, there were a number of nominations that had been as proposed by the Executive.
- The old Outside Bodies approval procedure had involved contested appointments, which was presented to Full Council. It was therefore felt by some Members, that it was more appropriate for contentious positions, where more than one councillor had wanted to take up the post, a final decision should be made at Full Council.
- Some Members felt that protocols and processes were important to decide formal arrangements. If there was a change in political leadership, then the current system of Leader approval might not be appropriate.

The Constitution and Ethics Committee considered the request and **RESOLVED** (4 in favour, 3 against and 0 abstentions) to choose option two, approval of outside body appointments to be made by the Leader, as set out in Appendix 2 to the report.

AGREED ACTION

The Committee noted the report and **AGREED** to recommend to Full Council that the approval route of Outside Bodies should remain with the Leader of the Council.

49. UPATE TO CIVIC PROTOCOL

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

The purpose of the report was to review and agree the wording to the Mayors declaration of acceptance of office and the wording in the Civic Protocol and the appointment Treasurer of the Charity Committee. Members were advised that an additional recommendation to ask Members to agree the revised Civic Protocol (Appendix 1 to the report).

The Executive and Member Services Manager introduced the report and asked Members to consider and agree to the wording, prescribed in law for the Mayors Declaration of Acceptance of office (Appendix 2 of the report); Review and agree the proposed wording in section 18.3 of the Civic Protocol (paragraph 2.6 of the report) and agree the revised Civic Protocol (Appendix 1 of the report).

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

- Some Members commented that the full Civic Protocol should be discussed at Committee specifically at paragraph 8 and 10. The Director of Law and Governance advised that an amended proposal had been tabled to allow Members time to discuss the full Civic Protocol.
- Some Members commented that the protocol on whether a Mayor should wear a hat had seemed to be inconsistent. Some events such as the Bridge Fair required the cuffs, which would usually apply to Royal occasions and consideration should be made about removing some unnecessary items of Regalia.
- The current wording of the protocol referred to the chains, but not the collar, cuffs and hat and this had only been highlighted as an issue in the last 12 months, due to controversy over some of these items not being worn at an occasion in September 2022.
- Members were advised that there was an expectation on what had been Civic Mayoral Regalia attire, however, discretion could be taken into account as highlighted at 8.1 and 10.1 to dress for weather conditions as appropriate.
- Members commented on whether the Chair of Constitution and Ethics Committee should consider whether it was appropriate for him to discuss matters in relation to the Civic Protocol given he was due to be appointed to the Mayor role for the Municipal Year 2023/24. The Director of Law and Governance advised that it would be up to the individual to decide whether involvement in Civic Protocol discussions were appropriate, as the position currently was for Mayor elect.
- There was an expectation for the Mayor to follow the Civic Protocol when undertaking the role.
- Members commented that the list was determined by officers and was intended to provide clarity about what Civic Regalia should be worn for all occasions, in order to avoid any embarrassment at future events.
- The Executive and Member Services Manager commented that advice provided within the list would outline what the expectation was for each event. It was also

felt that consideration should be given towards public perception and whether the appropriate Regalia was being worn correctly, which had been the issue recently experienced at the proclamation ceremony in September 2022.

- Members commented that when a Councillor becomes Mayor, they were the first citizen of Peterborough and the protocol on Regalia was felt necessary to ensure that they met public expectations when they undertake the role.
- Some Members felt that there could be some discretion on what to wear, particularly at Royal events.
- Members were advised that there would be a code of conduct issue and sanctions would apply if the Mayor decided not to wear the correct Civic Regalia if the proposals were adopted by Full Council.
- It would be for Full Council to decide whether to approve the Civic Protocol or not.
- Some Members were in favour of the Civic Regalia changes and some were not and it was felt that if those Members wanted to highlight a specific issue, then they should do so at Full Council.

The Constitution and Ethics Committee considered the report and, proposed a motion to recommend to Full Council for approval, the Civic Protocol which was **RESOLVED** (4 in favour, 0 against, 3 abstentions).

AGREED ACTIONS

The Constitution and Ethics Committee agreed to recommend that Full Council agree the:

1. Declaration of Acceptance of Office (outlined in Appendix 2 of the report);
2. The wording in section 18.3 of the Civic Protocol and
3. The revised Civic Protocol (outlined in Appendix 1 to the report).

50. CONSTITUTION AND ETHICS COMMITTEE START TIME 2023/24

The Constitution and Ethics Committee received a report in relation to the start time for Constitution and Ethics meetings in 2023/24.

The purpose of this report was for the Constitution and Ethics Committee to discuss and agree the start times for meetings from the beginning of the Municipal Year 2023-24.

The Democratic Services Officer introduced the report and asked members to consider what time they would like the meetings to start in 2023/24.

The Constitution and Ethics Committee considered the request and **RESOLVED** (Unanimous) to agree and recommend to Council the start time for all Constitution and Ethics Committee meetings for the Municipal Year 2023-24 of 6:00PM.

AGREED ACTIONS

The Constitution and Ethics Committee agreed:

To recommend to Council that the start time for all Constitution and Ethics Committee meetings for the Municipal Year 2023-24 of 6:00PM.

INFORMATION AND OTHER ITEMS

51. DISPENSATIONS ISSUED

The Constitution and Ethics Committee **RESOLVED** (Unanimous) to note that there had been no dispensations issues since the last meeting on 21 November 2022.

52. UPDATE ON NATIONAL ISSUES

The Constitution and Ethics Committee **RESOLVED** (Unanimous) to note that there had been updates on national issues since the last meeting on 21 November 2022.

53. CODE OF CONDUCT COMPLAINTS

The Constitution and Ethics Committee received a report in relation to the Code of Conduct Complaints received since the last meeting.

The purpose of the report was to update Members on the status of any new complaints and those that had been resolved since the last meeting.

- The Director of Law and Governance introduced the report and asked Members to note the report on complaints received/being handled by the Monitoring Officer since the Committee's last meeting on 21st November 2022. Since the Committee's last report there had been two new complaints received in relation to City Councillors and one ongoing complaint received in relation to Parish Councillors.

The Constitution and Ethics Committee considered the report and **RESOLVED** (Unanimous) to note the report.

54. WORK PROGRAMME, FUTURE DATES AND MEMBER ISSUES

The Constitution and Ethics Committee received a report in relation to the committee's work programme.

The Democratic Services Officer introduced the report and outlined the work programme report, along with additional items that were to be included.

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

- The Executive and Members Services Manager explained that the national honours had been suggested on the Work Programme as it had been highlighted that there had been no nominations received by the Lieutenancy Office for some time.
- Members commented that training on how to nominate people for national honours awards should be offered. It was also felt that the national honours arrangements had fallen off the Council's processes and that this should be rectified.
- The item on how the Mayor was chosen for the following Municipal year was in relation to the qualifying requirements. Members felt that there were other options, which should also be considered, such as whether a Councillor wanted to defer being put forward for the position.
- It was suggested that the Civic Awards ceremony date was amended to allow for Ramadan.

The Constitution and Ethics Committee considered the report and **RESOLVED** (Unanimous) to note and agree the Work Programme.

ACTION AGREED

The Constitution and Ethics Committee agreed the draft work programme for 2023/24 and also agreed that:

1. A training opportunity would be provided to Councillors on how to nominate people for a National Honours Award.
2. Officers would explore the possibility in changing the date of the Civic Awards Ceremony to one that avoided a clash with the Ramadan period.

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End 18

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 4
17 JULY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Andy Coles, Cabinet Member for Legal, Finance and Corporate Services	
Contact Officer(s):	Rachel Edwards, Head of Constitutional Services Susan Proctor, Executive and Members Services Manager	Tel. 452277

HONOURS PANEL – NATIONAL HONOURS

RECOMMENDATIONS	
FROM: ROCHELLE TAPPING, DIRECTOR OF LAW AND GOVERNANCE AND MONITORING OFFICER	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics committee</p> <p>1. Notes the process for submitting National Honours applications</p>	

1. ORIGIN OF REPORT

- 1.1 This report was requested by the Constitution and Ethics Committee to understand the process for submitting National Honours applications to the Cabinet Office.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for the Constitution and Ethics committee to note the process for members submitting National Honours applications to the Cabinet Office.
- 2.2 Although this report does not sit under the Committee's terms of reference, the report is being presented to members to help understand how Councillors can make nominations for national honours.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
Date for relevant Council meeting		Date for submission to Government Dept. (Please specify which Government Dept.)	

4. BACKGROUND AND KEY ISSUES

- 4.1 Every year, people who have made a significant contribution to public life through vital and extraordinary work are recognised with an honour awarded by the King.
- 4.2 Most awards are given to those who have been nominated by a colleague or member of the public and are then recommended by the Prime Minister or senior Government Minister.
- 4.3 Nominating someone for an honour is a way to recognise those who are making a positive impact through their service, going above and beyond in their role.
- 4.4 There are different types of honours awards, ordered by rank (for example):
- Knight or Dame
 - Commander of the Order of the British Empire
 - Officer of the Order of the British Empire
 - Member of the Order of the British Empire
 - British Empire Medal
- 4.5 Guidance has been sent to all members on how to complete a National Honours.
- 4.6 The process takes a long time and can take between 12 – 18 months to work its way through the system.
- 4.7 Training has been requested to the Cabinet Office for members.

5. CORPORATE PRIORITIES

- 5.1 The recommendations link to the Sustainable Future City Council Corporate Priorities and recognises the hard work and dedication of the nominees.

6. CONSULTATION

- 6.1 All members will have received guidance on how to write a nomination.

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 Increase in National Honours for Peterborough.

8. IMPLICATIONS

Financial Implications

- 8.1 None.

Legal Implications

- 8.2 There are no legal implications in respect of what is proposed

Equalities Implications

- 8.3 None.

9. BACKGROUND DOCUMENTS

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

- 9.1 <https://www.gov.uk/government/publications/honours-how-to-write-citations/how-to-write-a-nomination-html>

<https://www.gov.uk/honours/nominate-someone-in-the-uk>

10. APPENDICES

10.1 None.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 5
17 JULY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director of Law and Governance	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Legal, Finance and Corporate Services	
Contact Officer(s):	Rochelle Tapping, Director of Law and Governance Charlotte Cameron, Senior Democratic Services Officer	Tel.07973 945459 01733 384628

PETERBOROUGH CITY COUNCIL: CENTRE FOR GOVERNANCE AND SCRUTINY GOVERNANCE (CfGS) REVIEW UPDATE

RECOMMENDATIONS	
FROM: Director of Law and Governance	Deadline date: N/A
It is recommended that the Constitution and Ethics Committee:	
1. Review the progress of the review and make comments as necessary.	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a request from Members at the Governance Review Working Group meeting that any work being carried out by the CfGS be reported into the committee.

The Director of Law and Governance has also requested that the committee is kept up to date with progress of the review.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to provide the Committee with an update on the progress of the CfGS Governance Review and the proposed timeline of delivery.

2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 Peterborough City Council (PCC) are undertaking a Governance Review with external support from the Centre for Governance and Scrutiny (CfGS). The team at CfGS supporting this work are;

- Ed Hammond, as the project sponsor responsible for quality assurance.
- Helen Mitchell, as the project lead and day-to-day contact.
- Ian Parry, as a subject matter expert on governance and finance.
- Cath Buckley, as a subject matter expert on governance and scrutiny.
- Mel Stevens, Chief Executive and as subject matter expert on governance.

In respect of PCC, day-to-day support will be provided by Charlotte Cameron, Senior Democratic Services Officer in consultation with Rochelle Tapping, Director of Law and Governance and Monitoring Officer.

The initial stage of the review has begun with colleagues in Democratic Services arranging interviews with Members and Officers. The list of those invited can be found below;

Cllr Wayne Fitzgerald	Leader of the Council
Cllr Dennis Jones	Labour Group Leader
Cllr Christian Hogg	Liberal Democrats Group Leader
Cllr Chris Harper	Peterborough First Group Leader
Cllr Nicola Day	Green Group Leader
Cllr Alison Jones	Employment Committee Chair
Cllr Muhammed Haseeb	Audit Committee Vice-Chair
Cllr Shabina Qayyum	Adults and Health Scrutiny Committee Chair
Cllr Asif Shaheed	Children and Education Scrutiny Committee Chair
Cllr Nicola Day	Climate Change and Environment Scrutiny Committee Chair
Cllr Amjad Iqbal	Growth, Resources and Communities Scrutiny Committee Chair
Cllr Nick Sandford	Mayor of Peterborough
Matt Gladstone	Chief Executive
Rochelle Tapping	Director of Law and Governance, Monitoring Officer
Rachel Edwards	Head of Constitutional Services
Pippa Turvey, Dan Kalley, Jane Webb, Ramin Shams, Karen Dunleavy and Charlotte Cameron	Democratic Services Team
Ray Hooke	Head of Corporate Delivery Unit
Cecilie Booth	Executive Director Corporate Services and Section 151 Officer
Emma Riding	Service Director- Financial Management & Deputy S151 Officer
Jill Evans	Service Director - Corporate Finance & Deputy S151 Officer
Steve Crabtree	Chief Internal Auditor

The Constitution and Ethics Committee Chair was invited to interview but declined as he did not want to be predisposed to any findings before they were brought to the Constitution and Ethics Committee.

These interviews will help to establish the needs and expectations of the Organisation and gather both the views and experiences of Officers and Members regarding the operation of our governance procedures. Following the initial round interviews, a survey will be circulated to the wider Corporate Leadership Team (CLT) and Extended Corporate Leadership Team (ECLT) team to capture a more comprehensive view of Governance within the organisation.

Alongside the interviews, colleagues from CfGS have been reviewing decisions, minutes, meeting recordings, relevant procedural documentation, and the constitution to gather a wider picture of the governance processes at the Council.

The Democratic Services Team held a session with ECLT to seek views on the decision-making process, the roles and responsibilities within the Council and the scrutiny process. The feedback from this session has been collated and will be used to inform the governance review work.

Finally, ECLT and all Councillors were invited to complete a survey on the decision-making process and its culture within the authority. The results of this survey were submitted directly to CfGS colleagues and will be used to inform the diagnostic report.

4.2 **Timeline of Delivery**

The agreed timeline of delivery is:

W/c 10 July – CfGS Draft Diagnostic Report submitted to PCC for Monitoring Officer comment and review.

W/c 24 July – CfGS Final report submitted to PCC.

1 August – Final report presented to CLT

8 August – Final report presented to Group Leaders

18 September – Final report presented to the Constitution and Ethics Committee

We remain on track to deliver to the above timeline, with all interviews having taken place in June. At the time of writing and publication, the draft report had not been received. It is expected that at the time of the meeting, the draft diagnostic report will have been submitted to the Monitoring Officer for review and comment.

The final report would then be submitted to PCC for presentation at the CLT meeting on 1 August 2023 and until this time, the final report will not be shared more widely.

4.3 The Constitution and Ethics Committee, in October 2022, agreed to setup a working group to look at different governance arrangements. A number of meetings were setup to discuss the arrangements, however following on from conversations the Director of Law and Governance approached CfGS to enquire about carrying out an external review of the Council's governance arrangements.

This proposal was put to the members of the Governance Review Working Group who agreed to the proposal to allow CfGS to undertake a review with findings being presented to the Constitution and Ethics Committee as per the timeline outlined in the report.

All previous work carried out by the Governance Review Working Group has been circulated to CfGS by way of background information.

5. CORPORATE PRIORITIES

- 5.1 This report and its recommendations link to the Council's Corporate Priorities in so far that a review of the governance procedures will ensure that the Sustainable Future City Council targets are met by improving how we work, how we serve the community and how we enable ourselves to make informed decisions.

6. CONSULTATION

- 6.1 There has been consultation with Officers, Members and colleagues from CfGS.
- 6.2 Officers from the Local Government Association (LGA) were also consulted at the beginning of the review process.
- 6.3 As part of the process Officers within CLT and ECLT have had the opportunity to feed into the governance review and express their views.

In addition, the Council's Independent Improvement and Assurance Panel have also been kept up to date with the progress of the review along with the Financial Sustainability Working Group.

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 The outcome of this report will be that the Committee are informed of the progress of the review prior to the review of recommendations submitted in the diagnostic report.

8. REASON FOR THE RECOMMENDATION

- 8.1 The reason for the recommendation is that the Committee are informed of the progress of the review.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 An alternative option would be to not provide the Committee with an update on the progress of the review. This option was not considered as it is important for the Committee to be informed.

10. IMPLICATIONS

Financial Implications

- 10.1 Following the completion of the work, there may be some additional costs involved to support the implementation of the recommendations included in the diagnostic report.

Legal Implications

- 10.2 There are no legal implications in respect of what is proposed which is an update on the review.

Equalities Implications

- 10.3 The outcome of the report has no direct implication on the residents of Peterborough; however, the outcome of the review will consider all residents to ensure that the governance processes within the Council are fair for all.

11. BACKGROUND DOCUMENTS

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

- 11.1 None.

12. APPENDICES

12.1 None.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 6
17 JULY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Dan Kalley, Senior Democratic Services Officer	Tel. 01733 296334

APPOINTMENT TO COUNCIL CHAMPIONS

RECOMMENDATIONS	
FROM: Director of Law and Governance	Deadline date: Full Council October 2023
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. Note the feedback from the Council's Scrutiny Committee Group Representatives as to the potential to appoint Council Champions which is included at Appendix 1. 2. Agree to recommend to Council the adoption of the following items <ol style="list-style-type: none"> 1. The Member protocol on Champions included at appendix 1 including details of who will appoint the Champions 2. Changes to the Constitution Standing Orders to allow the appointment of Council Champions and ensure an annual review (included Appendix B) 3. The adoption of the following Council Champions, in addition to the Armed Forces Champion <ul style="list-style-type: none"> • Tree Champion • Dementia Champion • City Centre Champion 	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a request from the Committee Chair and as part of feedback from the Scrutiny Committee's.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is for the Constitution and Ethics Committee to review the feedback and any suggestions made from the Scrutiny Committee Group Reps as to the appointment of any Council Champions.

- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. **BACKGROUND AND KEY ISSUES**

4.1 **APPOINTMENTS TO COUNCIL CHAMPIONS**

- 4.2 At its meeting on 6 October 2022, the committee agreed to discuss the option of Councillor Champions for Council functions. It was agreed at the meeting that the Council's Scrutiny Committees would be approached to explore whether there was any appetite to appoint specific Champion roles for Council functions. Following consultation with Scrutiny Committee Group Representatives/s during the last municipal year it was highlighted that there were two areas that could potentially have champions, this being a City Centre Champion and Dementia Champion. It was felt overall that having extra champions could potentially add to the workloads of Councillors. At the time of writing there had been no expressions of interest made to officers to carry out these roles. However, this was something that could be revisited at a future date.

Group representatives of the Constitution and Ethics Committee at the latest work programming meeting agreed for this item to be re-visited. The report was also meant to be presented to the committee at the meeting in February, however it was agreed to be deferred to allow further work to be completed.

- 4.3 Members are also reminded that the Chair of the Constitution and Ethics Committee for the previous municipal year had been asked by the Woodland Trust to be a Councillor Tree Champion. A role description was circulated to members of the committee back in October and is outlined below in 4.8 and as an Annex to Appendix A.

- 4.4 There are no restrictions on each political group from appointing within their groups a spokesperson or a group representative on certain issues. This is an informal arrangement that each group can carry out if it wishes.

- 4.5 Members are reminded that Cabinet Members cover a number of different portfolios and service areas within the Council and act as the representative for those areas when making decisions which affect the Council.

- 4.6 At the current time the only example of a Council Champion is the Armed Forces Champion, which has been agreed in the past, which includes the role of being the point of contact for queries from ex-Forces personnel who need help and assistance, signposting people to relevant support and helping unblock any problems that people have accessing services. This appointment is formally agreed at Annual Council.

- 4.7 Group Leaders have also been consulted and although no suggestions were put forward were happy for the Scrutiny Committee's to make any suggestions, of which only two suggestions as outlined above were put forward.
- 4.8 Members could agree to define what a Council Champion is, and an example of a short description is below and was presented to the meeting in October 2022. This would also be included in the Member Champion Protocol which could form part of the Council Constitution.

What are Member Champions?

Member Champions exist to provide a voice on the Council or to ensure particular issues are kept at the forefront of council business. The member champions will have no decision making responsibilities and/or powers.

Member Champions are elected members who in addition to their other council responsibilities make sure that the issue or group that they are championing are taken into account and/or promoted. They will be in place for a term of 1 year from the date of appointment.

What do they do?

Typically, the Member Champion will:

- Make sure that their area of interest is taken into account or promoted when liaising with the Executive, relevant Scrutiny Committees and key officers.
- Raise the profile of the area and make the authority aware of good practice.
- Engage with external bodies who work in the area
- Engage with other officers and members in relation to the role.
- Engage with community groups with an interest/stake in the area
- Report findings to the Cabinet, relevant Scrutiny Committee or Full Council as appropriate.

- 4.9 There are Councils across the Country who have appointed Councillor Champions, this has been done in a number of different ways and some examples are below:

- [Stockport Council](#) – Members need to notify the Democratic Services Manager prior to the Annual Council meeting of any expressions of interest in being a member champion to one of the roles specified or suggest any new roles. The Democratic Services Manager will then present these to Group Leaders. It is important to note that local community organisations can also be involved in the process to ensure the correct champions are put forward. Following this the Leader is responsible for making these appointments and report these to the Annual Council meeting.
- [West Norfolk Council](#) – The Leader of the Council is responsible for appointing member champions at the Annual Council meeting. Any member can be a champion and a specific list is produced outlining the roles that a champion is appointed to. The Leader will also have the responsibility to remove a champion if they are not performing their role. These are updated following local elections.
- [Lancaster Council](#) – Member champions are appointed by Council at the Annual Council meeting and cannot be a Cabinet Member.
- Somerset West and Taunton [Council](#) – Member champions will be appointed at the discretion of the Leader having consulted Group Leaders, who can nominate members from within their group. This is still subject to ratification at Full Council.

5. CORPORATE PRIORITIES

- 5.1 The recommendation links to the follow Council Corporate Priorities:

4. Sustainable Future City Council

- *How we Work*
- *How we Serve*

- *How we Enable*

6. CONSULTATION

- 6.1 Group Leaders have been consulted on any suggestions for Council Champions that they feel would be appropriate and could be recommended to be appointed at Annual Council each year. Members of the Council's Scrutiny Committee's Group Representatives have also been consulted to highlight specific Champion roles.

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 If agreed that the appointment of Council Champions is recommended to full council and these are subsequently agreed by Council to be appointed then it will be important to review these appointments at Annual Council, following local elections.

8. REASON FOR THE RECOMMENDATION

- 8.1 To update the members of the Committee on feedback from the Scrutiny Committee Group Reps.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 That the proposal to include member champions is not taken any further. There is currently nothing stopping groups from appointing a champion or spokesperson to represent their groups views on aspects for which the Council have a lead on.

10. IMPLICATIONS

Financial Implications

- 10.1 There are no financial implications arising from the report.

Legal Implications

- 10.2 There are no legal implications in respect of what is proposed. If the recommendations are agreed by this Committee this will involve a Full Council decision and subsequent change to the constitution to implement the change.

Equalities Implications

- 10.3 There are none.

11. BACKGROUND DOCUMENTS

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

- 11.1 None.

12. APPENDICES

- 12.1 Appendix A - Local Protocol Member Champions
Appendix B – Track Changes – Council Standing Orders, Part 4, Section 1, PCC Constitution .

Local Protocol – Member Champions Contents

1. Introduction.
2. Appointment of Member Champions
3. Role of Member Champions
4. The Parameters of the Champion Role
5. Cabinet Members – Working Relations
6. Accountability
7. Training
8. Attendance at Seminars/Conferences
9. Allowances
10. Interests

Member Champions

1. Introduction

1.1 Member champions are elected members who act as an advocate or spokesperson for a specific area of the Council's business. The main responsibility of each member champion is to encourage communication and positive action over the issue they represent.

2. Appointment of Member Champions

2.1 The **Leader/Full Council** is responsible for appointing member champions. Any member of the Council may be member champion, including the Leader. The first Council Champions are being suggested as:

- (a) Armed Forces
- (b) Trees
- (c) City Centre
- (d) Dementia

2.2 Member champions will be appointed on annual basis following the local elections that take place. However, an appointment may be made during the year to any new position that is established or to a position where there is a vacancy. The appointments made by the Leader must be communicated in writing to the Chief Executive and the Monitoring Officer

2.3 Any appointment should have due regard to the suitability for the role and relevant national and local guidance.

2.4 A member champion may be removed from office at any time by the **Leader/Full Council** by written notice to the Chief Executive. The reasons for removal will need to set out the reasons for the request of dismissal.

2.5 Any member champion may resign from office by giving written notice to the Chief Executive and the Monitoring Officer.

3. Role of Member Champions

3.1 All member champions will have a job description setting out their respective roles. These will be developed in consultation with the Leader and the champion concerned. Examples of possible roles for champions that may be appropriate to include in a job description are set out in Annex 1 to this protocol.

4. The Parameters of the Member Champion Role

4.1 All member champions must act reasonably in their role and recognise and work effectively within the political management and working arrangements adopted by the Council.

4.2 A champion cannot make decisions (unless the champion is a Cabinet Member with delegated authority) and must not commit the Council in any way or in a manner that could be interpreted as being contrary to established policy and practice. They may, however, confirm a position as stated in a published policy.

5. Cabinet Members – Working Relationship

5.1 The first point of liaison on all relevant issues for the Member Champion will be through the Cabinet Member/Leader.

5.2 Cabinet Members will normally:

- (a) acknowledge the right of champions to be consulted on matters relating to their area of interest;
- (b) take full account of any views offered by champions prior to any decision taken (by a Cabinet member with delegated authority) on matters within their area of interest;
- (c) co-operate with champions in the formulation of any action plans they have agreed with the relevant Cabinet Member; and
- (d) in liaison with the Leader consider nominating the relevant champion to represent the Council at a relevant conference/seminar on the subject matter of the champions interest.

6. Accountability

6.1 At the beginning of each municipal year, each member champion may agree with the relevant Cabinet member and officers a programme of activity, with SMART (specific, measurable, achievable, realistic, time-bound) targets, taking into account the Council's priorities.

6.2 The Member Champion will report into their Cabinet Member regularly and in consultation with them into the Member's bulletin on at least an annual basis to keep the Council updated on their work.

7. Training

7.1 All member champions will normally have the opportunity to attend appropriate training courses contained in the Council's Member Development Programme.

8. Attendance at Seminars and Conferences

8.1 The attendance by member champions at conferences/seminars relevant to their roles will only be approved following consultation with the Leader in consultation with the Monitoring Officer. When approved, expenses may be claimed.

9. Allowances

9.1 None of the member champions are entitled to receive a Special Responsibility Allowance (SRA) for carrying out their role.

10. Interests

10.1 Member Champions are reminded to ensure any interests they may have are declared at all appropriate points.

Annex 1 – Job Role Member Champions

What are Member Champions?

Member Champions exist to provide a voice on the Council or to ensure particular issues are kept at the forefront of council business. The member champions will have no decision making responsibilities and/or powers.

Member Champions are elected members who in addition to their other council responsibilities make sure that the issue or group that they are championing are taken into account and/or promoted. They will be in place for a term of 1 year from the date of appointment.

What do they do?

Typically, the Member Champion will:

- Make sure that their area of interest is taken into account or promoted when liaising with the Executive, relevant Scrutiny Committees and key officers.
- Raise the profile of the area and make the authority aware of good practice.
- Engage with external bodies who work in the area
- Engage with other officers and members in relation to the role.
- Engage with community groups with an interest/stake in the area
- Report findings to the Cabinet, relevant Scrutiny Committee or Full Council as appropriate.

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2. Ordinary meetings of Council
3. Ordinary meetings of Council and Committees
4. Extraordinary meetings and variations
5. Private meeting to nominate the Mayor Elect
6. Appointment of members of committee and sub-committees in year including substitute members
7. Attendance at committees or sub-committees
8. Committee and sub-committee powers and duties and delegation to committees and sub-committees
9. Working parties for committees
10. Time and place of meetings
11. Notice of and summons to meetings
12. Chair of meeting
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1. ANNUAL MEETING OF THE COUNCIL

1.1. Timing and business

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May.

1.1.1 The Ceremonial Meeting (Mayor Making)

The Meeting will:

- i. elect a person to preside if the chair of Council (the Mayor) is not present;
- ii. elect the chair of Council (the Mayor);
- iii. elect the vice chair of Council (the Deputy Mayor); and
- iv. receive the retiring mayor's report.

1.1.2 The Business Meeting

The Meeting will:

- i. approve the minutes of the last meeting;
- ii. receive any announcements from the Mayor;
- iii. consider urgent petitions in accordance with the Council's petition scheme;
- iv. receive a report from the Returning Officer on the outcome of City Elections;
- v. upon retirement of the previous Leader, which shall be at least once every four years, elect the Leader of the executive (the Cabinet)
- vi. be notified by the Leader of the number of members to be appointed to the Cabinet, those Members' names and their intended portfolio of responsibilities;
- vii. appoint a licensing committee, a health and wellbeing board, at least one overview and scrutiny committee and such other committees as are required or the Council considers appropriate to deal with matters that are neither reserved to the Council nor are executive functions (as set out or will be set out in Part 3(2) of this Constitution). No member of the Executive will be allowed to be a member of a Scrutiny Committee or Commission;

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~~viii.~~ receive the Leader's scheme of delegation of executive functions (as set out at Part 3(3) of this Constitution);

~~viii.~~~~ix.~~ receive a report appointing the Member Champions for the municipal year as outlined in the Local Protocol for Member Champions / receive a report noting the appointments to Member Champions from the Leader as outlined in the Local Protocol for Member Champions.

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~~ix.~~~~x.~~ approve a programme of ordinary meetings of the Council for the year; and

~~x.~~~~xi.~~ consider any business set out in the notice convening the meeting.

1.1.3 Unless otherwise determined by statute, the Mayor may vary the order of the agenda at his/her absolute discretion and may allocate or re-allocate an appropriate time for the transaction of each item.

1.2. Selection of Councillors on Committees

1.2.1 At the annual (business) meeting, the council meeting will:

- i. decide which committees to establish for the municipal year;
- ii. decide the size and terms of reference for those committees;
- iii. decide the allocation of seats to political groups in accordance with the political balance requirements;
- iv. receive nominations of councillors to serve on each committee and other authorities;
- v. appoint to those committees, standing sub-committees and other authorities except where appointment to those bodies has been delegated by the Council or is exercisable only by the executive; and
- vi. appoint the Chairs and Vice-Chairs of all the Council's committees, other than those which the Council has decided should be appointed by the committee itself.

1.2.2 The Council may decide at subsequent meetings to dissolve committees, alter their terms of reference or to appoint new committees.

1.2.3 The Council shall always have the power to exercise any power delegated to a committee, sub-committee or an officer.

2. ORDINARY MEETINGS OF COUNCIL

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2.1 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. The order of business at ordinary meetings will be as follows:

- i. elect a person to preside if the Mayor and Deputy Mayor are not present;
- ii. approve the minutes of the last meeting;
- iii. receive any declarations of interest from members;
- iv. receive any announcements from the Mayor and Leader (which, with the exception of the Mayor, will normally be limited to five minutes), followed by any question on the announcement from a leader of an opposition group (which will normally be limited to one minute);
- v. receive questions from, and provide answers to, the public in accordance with Standing Order 15;
- vi. receive petitions from the public and Members in accordance with Standing Order 16;
- vii. consider petitions in accordance with the Council's petition scheme;
- viii. Receive questions from, and provide answers to, Members in accordance with Standing Order 17.2;
- ix. deal with any business from the last Council meeting;
- x. receive reports from the Cabinet for consideration, including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and receive questions and answers on any of those reports;
- xi. receive any reports from the Council's committees and overview and scrutiny committees for consideration and receive questions and answers on any of those reports;
- xii. receive reports about and receive questions and answers on decisions made by members of the Cabinet since the last meeting of Council;
- xiii. receive any reports about and receive questions and answers on the business of joint arrangements and external organisations, including the Combined Authority;
- xiv. consider motions; and

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- xv. consider any other business specified in the summons to the meeting.

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3. ORDINARY MEETINGS OF COUNCIL AND COMMITTEES

3.1 Business

Unless otherwise determined by statute, the Mayor/Chairman may vary the order of the agenda at his/her absolute discretion and may allocate or re-allocate an appropriate time for the transaction of each item.

3.2 Urgency

The Mayor/Chairman may determine that an item of business that has not been open to public inspection, both as an item set out in the agenda and any accompanying published report, may be considered because he or she is of the opinion that, by reason of special circumstances, which shall be specified in the minutes, the item should be considered at the meeting as a matter of urgency.

4. EXTRAORDINARY MEETINGS AND VARIATIONS

4.1. Calling extraordinary meetings of Council

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:

- (a) the Council by resolution;
- (b) the Mayor (or the Deputy mayor if the mayor is unable to act);
- (c) the Monitoring Officer; or
- (d) any five members of the Council if they have signed a requisition presented to the Mayor and he or she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

4.2 Calling an Extraordinary Meeting of a Committee or Sub-Committee

In the case of Committee meetings, the Chairman of a Committee or Sub-Committee can, in consultation with the political group representatives, call an extraordinary meeting of the Committee at any time. A special meeting will also be called if three Members of the Committee or Sub-Committee ask the Chief Executive in writing to call a meeting.

4.3 Business at an Extraordinary Meeting of Council or a Committee or Sub-Committee

The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the extraordinary meeting and there shall be no consideration of previous

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minutes or reports from committees etc. except that the Mayor/Chairman may at his/her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

4.4 Timings of meetings

4.4.1 The timings of normal committee meetings will be agreed by the committee for the next municipal year in January of the preceding municipal year (or as near to this time as possible).

4.5 Variation to the meeting schedule and cancellation of meetings

4.4.1 Variations to the meeting schedule will be determined by the Chairman after prior consultation with the Group representatives. The Mayor determines any variation to the Council schedule, in consultation with Group Leaders.

4.4.2 If there is disagreement about the timing of an additional meeting between the Chairman and Group representatives, the meeting will start at the normal time for meetings of that Committee as identified previously by the committee and included within the Annual Calendar of meetings approved by Council.

4.4.3 Any meeting may be cancelled if there is insufficient business to consider. This will be determined by the Chairman after prior consultation with the Group representatives. For Council, the Mayor will determine in consultation with Group Leaders.

5. PRIVATE MEETING TO NOMINATE THE MAYOR ELECT

5.1 The Chief Executive will invite Members to hold a private meeting each year to nominate the Mayor Elect. This meeting will usually be held in February or March. The notice of the meeting will not be published and the proceedings will have no legal effect.

5.2 There is a written protocol for the nomination of the Mayor Elect and this can be found within Part 5 Section 8 of the Council's Constitution.

6. APPOINTMENT OF MEMBERS OF COMMITTEES AND SUB-COMMITTEES IN YEAR INCLUDING SUBSTITUTE MEMBERS

6.1 Appointment of Chair or Vice Chair in year vacancy

The Council may remove the Chairman or Vice-Chairman or they can resign. In the event that the Chairman or Vice-Chairman resigns or for some other reason becomes permanently incapacitated, the Council may appoint another Chairman or Vice-Chairman at its next meeting following the resignation or permanent incapacity and in the meantime the Committee may elect a temporary Chairman or Vice-Chairman until

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a new appointment is made by the Council. Unless otherwise stated in the Constitution, the Chair and Vice-Chair of a Committee or Sub-Committees shall be a Councillor.

6.2 Appointment of Members to Committees in year vacancy

If a vacancy arises on a Committee or Sub-Committee because a Member of a Committee or a Sub-Committee has resigned their seat by sending a written notice to the Chief Executive or because a Member has resigned, died or otherwise ceased to be a Member, the Chief Executive will appoint a Member to fill the vacancy if the relevant political group asks him or her to do so, in accordance with the seat allocations approved by Council under the Local Government and Housing Act 1989 and the Regulations made thereunder.

6.3 Substitute Members

6.3.1 Number

For each Committee or Sub-Committee, the Council may appoint the same number of substitutes in respect of each political group as that group holds ordinary seats on that committee or sub-committee, however the total number of substitutes made by a political group at a meeting may not exceed 50% of the political group's seat allocation on that committee.

6.3.2 Powers and duties

Substitute members will have all the powers and duties of any ordinary member of the committee when attending a meeting but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

6.3.3 Substitution

Substitute members may attend meetings in that capacity only:

- (a) to take the place of the ordinary member for whom they are the designated substitute;
- (b) where the ordinary member will be absent for the whole of the meeting; and
- (c) after notifying the monitoring officer by noon on the day of the meeting of the intended substitution.

6.3.4 When the ordinary member and a designated substitute are unable to attend a meeting, a nominated substitute member of the same group may attend the meeting after notifying the Monitoring Officer by 12 noon.

7. ATTENDANCE AT COMMITTEES OR SUB-COMMITTEES

- 7.1 The Mayor and the political group leaders can join the debate at any meeting of a Committee but they cannot vote at them.
- 7.2 A Cabinet Member can attend any meeting of a Scrutiny Committee or Scrutiny Commission at which a report under their portfolio is being considered, Cabinet Members can also be invited to attend a Scrutiny Committee meeting at the request of the Committee. The Member will not be allowed to vote.
- 7.3 A Member who has moved a motion at a Council meeting which has been referred to any Committee or Sub-Committee will have notice of the meeting when the motion will be considered, at which they will be entitled to introduce the motion. The Member will not be allowed to vote.
- 7.4 A Committee or Sub-Committee can invite any member who is not a member of the Committee to attend and speak at any one of their meetings. The Member will not be allowed to vote.
- 7.5 Members representing wards in respect of which a report containing exempt or confidential information relates, can attend the meeting at which the report is considered, unless the Chief Executive or the Monitoring Officer advises that the report must remain confidential and it is not necessary for Members (other than Members of the Committee or Sub-Committee) to be at the meeting in order to carry out their duties as a ward member.

8. COMMITTEE AND SUB-COMMITTEE POWERS AND DUTIES AND DELEGATION TO COMMITTEES AND SUB-COMMITTEES

- 8.1 The Monitoring Officer is responsible for maintaining and updating the terms of reference of all the Council's Committees.
- 8.2 All Committees can appoint a sub-committee from within its own membership and can delegate any of their powers and duties to the sub-committees, subject to any conditions the Committee sets for the Sub-Committee.

9. WORKING PARTIES FOR COMMITTEES

- 9.1 Committees can only appoint working parties where it would not be appropriate to refer the matter to a Scrutiny Committee or Scrutiny Commission. The Committee will decide how many Members and officers working parties will have, and their terms of reference which will be time limited. A working party will not have any powers, but will make recommendations and a report to the Committee that appointed it.

10. TIME AND PLACE OF MEETINGS

10.1 The time and place of meetings will be determined by the monitoring officer and notified in the summons.

11. NOTICE OF AND SUMMONS TO MEETINGS

11.1 The proper officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Standing Orders (Procedure Rules). At least five clear days before a meeting, the monitoring officer will send a summons signed by him or her by post to every member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted (the agenda) and will be accompanied by the relevant reports.

12. CHAIR OF MEETING

12.1 The person presiding at the meeting may exercise any power or duty of the Mayor/Chairman.

13. QUORUM

13.1 The quorum of a meeting of Council will be one quarter of the whole number of members.

13.2 The quorum of an appointed Committee or Sub-Committee will be more than half of the Members present, apart from the Employment Committee and the Appeals Committee (Service Issues), where the quorum will be three.

13.3 During any meeting if the Mayor/Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor/Chairman. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

14. DURATION OF MEETING

14.1 Meeting recess

The Mayor/Chairman will adjourn the meeting for a period of ten minutes at a convenient time after two hours.

14.2 Interruption of the meeting

Where four hours have elapsed after the commencement of any Council meeting (and in the case of an Extraordinary meeting when two hours have elapsed since commencement of the meeting) the Mayor/Chairman shall interrupt the meeting and call for the vote immediately on the item under discussion. Any Member speaking must

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immediately cease doing so and sit down. The vote will be taken without further discussion. This rule will not apply to meetings of a quasi-judicial or regulatory nature.

14.3 Motions and recommendations not dealt with

If there are other motions or recommendations on the agenda that have not been dealt with within the four hour period (or two hour period in the case of an Extraordinary meeting), they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way. This rule will not apply to meetings of a quasi-judicial or regulatory nature.

14.4 Recorded vote

If a recorded vote is called for during this process it will be taken immediately.

14.5 Motions which may be moved

During the process set out in Standing Order 14.2 above, the only other motions which may be moved are that a matter be withdrawn or that a matter be delegated or referred to an appropriate body or individual for decision or report.

14.6 Close of the meeting

When all motions and recommendations have been dealt with, the Mayor/Chairman will declare the meeting closed.

15. POSTPONEMENT OR CANCELLATION OF MEETINGS

15.1 Postponement or cancellation of the meetings in extenuating circumstances

Once the proper officer has given notice and summons of a meeting, the meeting may be postponed or cancelled in extenuating circumstances. Any postponement or cancellation must be with the agreement of Mayor/Chairman and in consultation with Group Leaders/Group Representatives. Any meeting may be cancelled if there is insufficient business.

16. QUESTIONS BY THE PUBLIC AT MEETINGS OF COUNCIL

16.1 General

16.1.1 Members of the public who are residents of the City may ask questions of Members of the Cabinet, the Chair of a Committee, the Chair of an Overview and Scrutiny Committee/Commission or a leader of a political group on the Council at meetings of the Council, other than the Annual

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Meeting and, except at the discretion of the Mayor, Extraordinary Meetings.

16.1.2 The total time allocated for Questions by the Public shall be limited to 30 minutes.

16.2 Order of questions

The order in which questions shall be presented to the meeting shall be determined by a draw for each section of the meeting. The draws shall be conducted by the monitoring officer (or senior officer appointed for this purpose). The draws may be attended by any Member of the Council by prior notice delivered in writing to the monitoring officer before the deadline for submission of questions.

16.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the monitoring officer no later than midday five working days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put. Notice must be provided at this time of any accompanying preamble to be given when putting the question to Council.

16.4 Number of questions

At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

16.5 Scope of questions

If the monitoring officer considers a question:

- is not about a matter for which the local authority has a responsibility or which affects the City;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information

he or she will inform the Mayor who will then decide whether or not to reject the question.

16.6 Record of questions

The monitoring officer will enter each question in a book open to public inspection and will immediately send a copy of the question to the

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member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions will be circulated to all members and will be made available to the public attending the meeting.

16.7 Asking the question at the meeting

The Mayor will invite the questioner to put the question to the member named in the notice. Three minutes are allowed for putting the question. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

16.8 Supplemental question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Standing Order 16.5 above. One minute is allowed for putting the supplementary question.

16.9 Answers

Three minutes are allowed for answering a question and two minutes are allowed for answering a supplementary question. Any question which cannot be dealt with, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

16.10 Reference of question to the Cabinet or a committee

Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Cabinet or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

16.11 There are no speaking rights at committee meetings other than those laid out in the Planning Speaking Scheme, which is available to view within the Committees terms of reference at Part 3 Section 2 of the Constitution.

17. PETITIONS PRESENTED AT COUNCIL

17.1 Petitions may be presented to the Council. The person presenting the petition will be allowed to address the meeting briefly (not exceeding

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one minute) to outline the aims of the petition. The Mayor will refer the matter to another appropriate body of the Council within whose terms of reference it falls without discussion and in accordance with the Council's petition scheme, detailed in Part 5 Section 9 of the Constitution, unless a relevant item appears elsewhere on the Agenda.

18. QUESTIONS BY MEMBERS AT COUNCIL

18.1 On reports of Cabinet or Committees

At a meeting of the Council, other than the Annual Meeting, a Member of the Council may ask the Leader or the chair of a committee or any representative of the Council on the Combined Authority any question without notice upon an item of the report of the Cabinet or a committee or from the Combined Authority when that item is being received or under consideration by the Council.

18.2 Questions on notice at full Council

18.2.1 Subject to Standing Order 18.4, a member of the Council may ask:

- the Mayor;
- the Leader or member of the Cabinet;
- the chair of any committee or sub-committee; or
- any representative of the Council on the Combined Authority.

up to two questions on any matter in relation to which the Council has powers or duties or which affects the City and one question on any matter in relation to which the Combined Authority has powers or duties.

18.2.2 Scope of questions

If the monitoring officer considers a question:

- is not about a matter for which the local authority has a responsibility or which affects the City;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information;

he or she will inform the Mayor who will then decide whether or not to reject the question.

18.2.3 The total time allocated for Questions under this item shall be limited to 30 minutes for questions to the Mayor, Leader or member of the Cabinet, or the chair of any committee or sub-committee, and 15

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minutes for questions to any representatives of the Council on the Combined Authority.

18.3 Questions on notice at committees and sub-committees

Subject to Standing Order 18.4, a member of a committee or sub-committee may ask the chair of it a question on any matter in relation to which the Council has powers or duties or which affect the City and which falls within the terms of reference of that committee or sub-committee.

18.4 Notice of questions

A member may only ask a question under Standing Order 18.2 or 18.3 if either:

- a) they have given at least five working days notice in writing of the question to the monitoring officer;
- b) the question relates to urgent matters, they have the consent of the Mayor to whom the question is to be put and the content of the question is given to the monitoring officer by noon on the day of the meeting;
- c) the question is not substantially the same as a question which has been put at a meeting of the Council in the past six months.

18.5 Response

An answer may take the form of:

- a) a direct oral answer of up to three minutes;
- b) by reference to published material of the Council which is readily available to Members; or
- c) where the reply cannot conveniently be given orally, a written answer will be circulated later to the questioner.

18.6 Supplementary question

Every question, which will be limited to one part, will be asked and answered without discussion. Upon receiving the answer, the Member who put the question shall be allowed one supplementary question, of up to one minute, provided that it arises directly out of the original question or the reply and does not introduce any new subject matter.

The supplementary question will be asked and answered orally, but the person to whom the supplementary question has been asked will have up to two minutes to answer or may decline to answer.

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18.7 Questions received should relate to broader matters that affect the Council. Any Ward specific questions will still receive a written response and be published in the minutes.

19. MOTIONS ON NOTICE

19.1 Drafting Motions

All Members must consider whether there is an alternative to submitting a motion which would achieve the same outcomes, prior to doing so, which may include:

- Referring the matter to a scrutiny committee for preliminary consideration;
- Requesting the issue be brought to a Cabinet meeting, committee meeting, informal briefing, or All-Party Policy meeting.

Members should provide reasons why alternatives were felt to be inappropriate when submitting a draft motion.

19.2 Draft motions with major implications

A draft motion will be considered to have major implications if it has significant resource implications (significant in this instance defined as the equivalent of £100,000 or more) or a significant impact on:

- Council policy or procedures (including budget-setting);
- the Council's strategic/contractual partners;
- the City of Peterborough as a whole

19.3 Notice of draft motions with major implications

Written notice of every draft motion with potential major implications must be delivered to the proper officer in its initial form by noon, 14 clear working days before the date of the meeting. The proper officer will then refer the draft motion to the Director of the relevant service area.

Should the Director consider that the motion does have major implications they will draft a briefing note setting out the reasons why the motion would fit within the Council's strategic plans, policies, or budget, or why it would not.

The motion must be delivered to the proper officer in its final form by noon, nine clear working days before the date of the meeting. The motion and Director's briefing note will then be published on the Council's website by 5pm nine clear working days before the date of the meeting.

19.4 Notice for Other Motions

Part 4, Section 1 – Council Standing Orders

Except for motions which can be moved without notice under Standing Order 19 and motions with major implications, written notice of every motion must be delivered to the proper officer in its initial form by noon eight clear working days before the date of the meeting and in final form noon six clear working days before the date of the meeting (not including the day of the meeting). These will be entered in a book open to public inspection.

19.5 Motions set out in agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting.

19.6 Scope

If the monitoring officer considers that a motion:

- is not about a matter for which the local authority has a responsibility or which affects the City;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a motion which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information

they will inform the Mayor who will then decide whether or not to reject the motion.

20. MOTIONS WITHOUT NOTICE

20.1 The following motions may be moved without notice:

- a) to appoint a chair of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a committee or member arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- g) to withdraw a motion;

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- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) that the meeting continue beyond 4 hours in duration (2 in the case of an extraordinary meeting);
- m) to suspend a particular standing order;
- n) to exclude the public and press in accordance with the Access to Information Standing Orders;
- o) to not hear further a member named under Standing Order 28.3 or to exclude them from the meeting Standing Order 28.4; and
- p) to give the consent of the Council where its consent is required by this Constitution.

21. STANDING ORDERS OF DEBATE

21.1 No speeches until motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

21.2 Right to require motion in writing

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

21.3 Secunder's speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

21.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation, statement of accuracy or point of order.

No speech may exceed five minutes by the mover of the motion or by three minutes in all other cases without the consent of the Mayor.

21.5 Budget Meetings

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Rule 21.4 above, in respect of the length of speeches, shall not apply to a debate on the Budget where speeches shall not be subject to any time limit.

21.6 When a member may speak again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another member;
- b) to move a further amendment if the motion has been amended since he or she last spoke;
- c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he or she spoke was carried);
- d) in exercise of a right of reply;
- e) on a point of order;
- f) by way of personal explanation and
- g) statement of accuracy.

21.7 Amendments to motions

- a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion.

- b) Except in relation to motions that can be moved without notice under Standing Order 19, written notice of every intended amendment to a motion or to recommendations from Cabinet or the Council's committees:

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- (i) must be delivered to the monitoring officer in its initial form not later than noon three clear working days before the date of the meeting (not including the day of the meeting) at which the motion is to be considered; and
- (ii) must be delivered to the monitoring officer in its intended final form not later than noon one working day before the date of the meeting (not including the day of the meeting) at which the motion is to be considered. If no withdrawal, confirmation or change is received by the monitoring officer, it will be assumed that the amendment is to be considered in its initial form.

No other amendment may be moved at the meeting except where the Mayor may permit, at his or her absolute discretion and to ensure the efficient or proper discharge of the Council's business, a further amendment or amendments to be moved.

- c) Amendments may be moved in turn following the movement of a motion. A motion and any amendments moved will be discussed at the same time.
- d) At the end of debate on a motion and any amendments to it, the amendments will be voted on in the order moved.
- e) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are made.
- f) After an amendment has been carried, the Mayor will read out the amended motion before moving on to the vote on any further amendments, or if there are none, moving to the vote on the substantive motion.

21.8 Alteration of motion

- a) A member may alter a motion of which he or she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A member may alter a motion which he or she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) Only alterations which could be made as an amendment may be made.

21.9 Withdrawal of motion

A member may withdraw a motion which he or she has moved with the consent of both the meeting and the seconder. The meeting's consent

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will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

21.10 Right of reply

- a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- c) The mover of the amendment has no right of reply to the debate on his or her amendment.

21.11 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) that the meeting continue beyond 4 hours in duration (or two hours if an extraordinary meeting);
- g) to exclude the public and press in accordance with the Access to Information Standing Orders;
- h) to not hear further a member named under Standing Order 28.3 or to exclude them from the meeting under Standing Order 28.4; and
- i) that a specific standing order be suspended

21.12 Closure motions

- a) A member may move, without comment, the following motions at the end of a speech of another member:
 - (i) to proceed to the next business;
 - (ii) that the question be now put;

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- (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- c) If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will put the procedural motion to the vote. If it is passed he or she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he or she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

21.13 Point of order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council Standing Orders or the law. The member must indicate the Standing Order or rule of law and the way in which he or she considers has been broken. The ruling of the Mayor on the matter will be final.

21.14 Personal explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

21.15 Statement of accuracy

A member may make a request to the Mayor to make a statement of accuracy at any time. If permitted, the statement will be limited to the accuracy of a fact cited by the member speaking and may not exceed thirty seconds. The ruling of the Mayor on the admissibility of a statement of accuracy will be final.

22. STATE OF THE CITY DEBATE BY COUNCIL

22.1 Calling of debate

The Leader may call a state of the City debate annually on a date and in a form to be agreed with the Mayor.

22.2 Form of debate

The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the state of the City debate.

22.2 Chairing of debate

The debate will be chaired by the Mayor.

22.3 Results of debate

The results of the debate will be:

- (a) disseminated as widely as possible within the community and to agencies and organisations in the area; and
- (b) considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

23. PREVIOUS DECISIONS AND MOTIONS

23.1 Motion to rescind a previous decision

A motion to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least five members.

23.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least five members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

24. VOTING

24.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

24.2 Mayor's/Chairman's casting vote

If there are equal numbers of votes for and against (not including any formal abstentions), the Mayor/Chairman will have a second or casting vote. There will be no restriction on how the Mayor/Chairman chooses to exercise a casting vote.

24.3 Electronic Voting

For meetings of Full Council in the Council Chamber, voting will be by electronic voting. Should the electronic voting system be unavailable or breakdown, voting will revert to being undertaken by a show of hands as outlined in paragraph 24.4 below, unless a Recorded Vote is called for under 24.5. Other meetings in the Council Chamber may also choose to use electronic voting and should follow the same procedure.

Electronic voting will be undertaken by Members operating the individual control panel on their microphone sets which allows Members to vote 'yes', 'no', or 'abstain'.

The Council has adopted an Electronic Voting Procedure which will be followed at all times when using electronic voting. Individual voting results will be displayed on screens in the Chamber and a record will be subsequently published alongside the meeting minutes on the Council's website.

24.4 Show of hands

Unless a recorded vote is demanded under Standing Orders 24.4 and 24.5, the Mayor/Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

24.5 Recorded vote

If one quarter of members present and entitled to vote at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be recorded in writing by calling a roll and entered into the minutes.

24.6 Budget decision

At a budget decision meeting of the Council the names of the persons who cast a vote for the decision or against the decision or who abstained from voting will be recorded in writing or via the electronic voting system and entered into the minutes of the proceedings of that meeting

For the purposes of this Standing Order:

- (a) “budget decision” means a meeting of the Council at which it—
 - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A,

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42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or

(ii) issues a precept under Chapter 4 of Part 1 of that Act,

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting; and

(b) references to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.

24.7 Right to require individual vote to be recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

24.8 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

25. MINUTES

25.1 Signing the minutes

The Mayor/Chairman will sign the minutes of the proceedings at the next suitable meeting. The Mayor/Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

Members must notify the Monitoring Officer or Democratic Services by no later than 12noon on the day of the meeting, if they believe there has been a substantive omission or factually incorrect information recorded in the minutes.

25.2 There is no requirement to sign minutes of previous meeting at extraordinary meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

25.3 Form of minutes

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Minutes will contain all motions and amendments in the exact form and order the Mayor put them.

26. RECORD OF ATTENDANCE

- 26.1 All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

27. EXCLUSION OF PRESS AND PUBLIC

- 27.1 Members of the public and press may only be excluded either in accordance with the Access to Information Standing Orders in Part 4 of this Constitution or Standing Order 29 (Disturbance by Public).

28. MEMBERS' CONDUCT

- 28.1 Speaking and address system

When a member speaks at full Council they must stand and address the meeting through the Mayor. If more than one member stands, the Mayor will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order, a point of personal explanation or a statement of accuracy. This rule will not apply to Committee or Sub-Committee meetings.

- 28.2 Mayor/Chairman

When the Mayor/Chairman speaks or stands during a debate or otherwise indicates that the meeting should come to order, any member speaking at the time must stop and sit down. The meeting must be silent.

- 28.3 Member not to be heard further

If a member persistently disregards the ruling of the Mayor/Chairman by behaving improperly or offensively or deliberately obstructs business, the Mayor/Chairman or another Member may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

- 28.4 Member to leave the meeting

If the Member continues to behave improperly after such a motion is carried, the Mayor/Chairman or another Member may move that either the Member leaves the meeting or that meeting is adjourned a specified period. If seconded, the motion will be voted on without discussion.

- 28.5 General disturbance

If there is a general disturbance making orderly business impossible, the Mayor/Chairman may adjourn the meeting for as long as he or she thinks necessary.

27.6 Conflicts of Interest

Members of the Council are under a duty to base their decision making on a consideration of the public interest. Members must avoid conflict between personal interest and the public interest, declare any personal interest when it arises and resolve any conflict between the two interests, at once, and in favour of the public.

29. DISTURBANCE BY PUBLIC

29.1 Removal of member of the public

If a member of the public interrupts proceedings, the Mayor/Chairman will warn the person concerned. If they continue to interrupt, the Mayor/Chairman will order their removal from the meeting room.

29.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor/Chairman may call for that part to be cleared.

30. SUSPENSION OF COUNCIL PROCEDURE STANDING ORDERS

30.1 Suspension

All of these Council Standing Orders of Procedure except Standing Order 24.2 and 24.6 may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

31. PHOTOGRAPHY AND AUDIO/VISUAL RECORDING OF MEETINGS

31.1 Any member of the public may film, audio record, take photographs and use social media to report the proceedings of any meeting that is open to the public.

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 7
17 JULY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Andy Coles, Cabinet Member for Legal, Finance and Corporate Services	
Contact Officer(s):	Rachel Edwards, Head of Constitutional Services Susan Proctor, Executive and Members Services Manager	Tel. 452277

HONOURS PANEL – LAUNCH CIVIC AWARDS NOMINATION PROCESS

RECOMMENDATIONS	
FROM: ROCHELLE TAPPING, DIRECTOR OF LAW AND GOVERNANCE AND MONITORING OFFICER	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee</p> <p>1. To note the launch of the Civic Awards nomination process in July 2023</p>	

1. ORIGIN OF REPORT

- 1.1 This report is to inform members of the committee that the Civic Awards nominations process will be launched in July 2023. This is to recognise individuals, groups, organisations, and businesses who have made a real difference to the local community.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for the Constitution and Ethics Committee to note that the Executive and Members Services Team will launch the Civic Awards 2023 following this meeting.
- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.7

To make recommendations to Council in relation the Council's Honour's process and appointment of Honours. Administration of this process is delegated to Executive and Members' Services.

Once nominations have been received a further report will be presented to committee with the final nominations that will go to Full Council in November.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 The Civic Awards use an 'open' nomination scheme. This means that anyone can nominate an individual, group, organisation or business within the City of Peterborough for an award as long as the nominee meets the criteria for the award. The categories are: -

- Young Person
- Lifetime Achievement
- Community Involvement
- Business
- Outstanding Commitment to the Environment
- Contribution to Art and Culture
- Contribution to Sport

4.2 All nominations must be endorsed by one supporter, who must not be involved in running the group, or be a partner or relative of anyone in running it. A volunteer with the group or a beneficiary of its services may act as a supporter, but if they do, an additional supporting letter may be required. The criteria for a group nomination is:-

- provide a high-quality service to benefit individuals or groups in the community
- operate and provide a service in Peterborough
- must have been operating a minimum of three years (exceptions may be made for short-term projects), and
- must be made entirely of volunteers (including trustees), or it includes some paid staff, but they must be made in the minority of those involved.

4.3 All individual nominations must be endorsed by one supporter, who must not be a partner or relative to that individual. The individual must show extraordinary achievements and contributions. Some examples of categories for an individual nomination are:-

- Public service nurses, doctors, teachers, civil servants, police officers
- Exceptional service to the local community
- Involvement in business and industry
- Scientists
- Arts practitioners and administrators – artists, actors, musicians, writers
- Involvement in sport
- Journalists and broadcasters

4.4 Nominations will commence on 31 July 2023 and the deadline to apply is 31 October 2023. All completed nominations should be sent to the Executive and Members Services Team.

4.5 The Constitution and Ethics Committee will then review the nominations at the November committee meeting, followed by award winners to be approved at Full Council in January 2024.

5. CORPORATE PRIORITIES

5.1 The recommendations link to the Sustainable Future City Council Corporate Priorities and recognises the hard work and dedication of the nominees.

6. CONSULTATION

6.1 All members will be informed of the Civic Awards process commencing.

7. ANTICIPATED OUTCOMES OR IMPACT

7.1 To recognise individuals, groups, organisations, and businesses who have made a real difference to the local community.

8. REASON FOR THE RECOMMENDATION

8.1 To launch the Civic Awards nominations process in July 2023.

9. ALTERNATIVE OPTIONS CONSIDERED

9.1 To do nothing and not present any Civic Awards.

10. IMPLICATIONS

Financial Implications

10.1 There will be a cost implication depending on the decision. This will be managed within the existing budget for Civic Services.

Legal Implications

10.2 None.

Equalities Implications

10.3 None.

11. BACKGROUND DOCUMENTS

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

11.1 Civic Protocol, Part 5, Section 6, 15.2

12. APPENDICES

12.1 None.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 8
17 JULY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Andy Coles, Cabinet Member for Legal, Finance and Corporate Services	
Contact Officer(s):	Rachel Edwards, Head of Constitutional Services Susan Proctor, Executive and Members Services Manager	Tel. 452277

APPOINTMENT OF THE HONORARY RECORDER OF THE CITY OF PETERBOROUGH

RECOMMENDATIONS	
FROM: ROCHELLE TAPPING, DIRECTOR OF LAW AND GOVERNANCE AND MONITORING OFFICER	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. recommends to Full Council the appointment of His Honour Judge Bishop as the Honorary Recorder of the City of Peterborough. 	

1. ORIGIN OF REPORT

- 1.1 This report was requested by the Chief Executive and the Director of Law and Governance and Monitoring Officer to invest further links between the Council and the criminal courts.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for the Constitution and Ethics Committee to consider a recommendation to Full Council for the appointment of an Honorary Recorder of the City of Peterborough.

- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

It is anticipated that this will improve relationships between the Council and the Courts.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

- 4.1 An Honorary Recorder is an unpaid, ceremonial office which was created to maintain and develop close links between councils and the judiciary. The role of Honorary Recorder for an area is usually granted to the Resident Judge at the Crown Court in the area. The report is proposing that the Constitution and Ethics Committee recommends to Full Council the appointment of HHJ John Bishop who is the resident judge for the City of Peterborough to this role.
- 4.2 The Honorary Recorder would usually be invited to major civic events eg Annual Council Remembrance Sunday and would invite members of the Council to attend judicial events. The honorary role is personal to the individual and would last as long as HHJ John Bishop is in post as Resident Judge in Peterborough. Several cities around the Country have already made appointments, including Oxford and Preston.
- 4.3 The Lord Chief Justice's guidelines for the appointment of honorary recorders state that approval of the Lord Chancellor or the Lord Chief Justice is not required however they do recommend that councils should first consult the Senior Presiding Judge for England and Wales. We have written consulted the Senior Presiding Judge who has confirmed in a letter dated 4 July 2023 that he approves of the proposed appointment.

5. CORPORATE PRIORITIES

- 5.1 The recommendations link to the Sustainable Future City Council Corporate Priorities and recognises the hard work and dedication of the nominees.

6. CONSULTATION

- 6.1 Consultation with Group Leaders has been undertaken.

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 It is anticipated that if the Committee recommends this to Full Council the appointment will then be made at a future Council meeting. The Honorary Recorder will then be invited to major civic events.

8. IMPLICATIONS

Financial Implications

- 8.1 None.

Legal Implications

- 8.2 The Council is the sole body who can appoint the Honorary Recorder and has powers under section 54 of the Courts Act 1971 to do this. The decision would be a decision of Full Council. Whilst the Lord Chief Justice's guidelines for the appointment of honorary recorders state that approval of the Lord Chancellor or the Lord Chief Justice is not required, they do recommend that councils should first consult the Senior Presiding Judge for England and Wales. Consultation has been undertaken and the Senior Presiding Judge has confirmed in a letter dated 4 July 2023 his approval of the proposed appointment.

Equalities Implications

8.3 None.

9. BACKGROUND DOCUMENTS

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

9.1 The Lord Chief Justices Guidelines for the appointment of Honorary Recorder.

10. APPENDICES

10.1 None.

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CONSTITUTION AND ETHICS	AGENDA ITEM No. 10
17 JULY 2023	PUBLIC REPORT

Report of:	Director of Law & Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Legal, Finance and Corporate Services	
Contact Officer(s):	Philippa Turvey, Democratic and Constitutional Services Manager Daniel Kalley – Senior Democratic Services Officer	01733 296334

CODE OF CONDUCT COMPLAINTS

RECOMMENDATIONS	
From: Monitoring Officer	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> Note the report on complaints received/being handled by the Monitoring Officer since the Committee's last meeting in February 2023. 	

1. ORIGIN OF REPORT

- 1.1 This Report is submitted to the Constitution and Ethics Committee by the Council's Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The Constitution and Ethics Committee has the responsibility for promoting and maintaining high standards of conduct amongst members and co-opted members of the council including 'monitoring the operation of the Code of Conduct'. This also includes parish councillors.

To assist in the fulfilment of the above objective it has been agreed that a standing item is placed on the agenda for the committee notifying and updating it on complaints that have been made, how they are being handled and whether they have been resolved. The committee decided that these should be reported in an anonymous way until such time as a breach of the code of conduct is found as part of the complaints process.

This Report fulfils the requirements set out above.

- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.2.

Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members including:

- promoting and maintaining high standards of conduct by members and co-opted members;
- Assisting the members and co-opted members to observe the Code of Conduct;

- Advising the council on the adoption or revision of the Members Code of Conduct;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train members and co-opted members on matters relating to the Code of Conduct.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
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4. **BACKGROUND AND KEY ISSUES**

4.1 **NEW COMPLAINTS**

City Councillors

Since the Committee's last report on there have been 5 new complaints received in relation to city councillors:

- CONDCOMP/PCC/37. This complaint was received on 23rd March 2023 and concerned allegations about the subject member's involvement in relation to a planning matter. The subject member's views were sought and shared with the Complainant who confirmed that their concerns had not been satisfactorily resolved. The Deputy Monitoring Officer discussed the Complaint and Subject Member's response with the Independent Person and they were in agreement that the General Obligations of the Code of Conduct had not been breached. The Complainant has been informed that no further action will be taken.
- CONDCOMP/PCC/38. This complaint was received on 27th March 2023 and concerns allegation in relation to the subject member's influence in relation to the determination of particular planning matters. The subject member's views are in the process of being sought with extensions having been granted on compassionate grounds.
- CONDCOMP/PCC/39. This complaint was received on 5th April 2023 and is related to CONDCOMP/PCC/37 and again concerns allegations about the subject members' involvement in relation to a planning matter. The subject members' views were sought and shared with the Complainant who confirmed that their concerns had not been satisfactorily resolved. The Deputy Monitoring Officer discussed the Complaint and Subject Members' responses with the Independent Person and they were in agreement that the General Obligations of the Code of Conduct had not been breached. The Complainant has been informed that no further action will be taken.
- CONDCOMP/PCC/41. This complaint was received on 23rd May 2023 and concerns allegations into the alleged inappropriate use of the Council's logo. The subject member's views were sought and shared with the Complainant who confirmed that their concerns had not been satisfactorily resolved. The Deputy Monitoring Officer discussed the Complaint and the Subject Member's response with the Independent Person and they were both in agreement that the threshold had not been met for further investigation. As part of the process the Monitoring Officer has committed to produce Member Guidance in relation to the future use of the logo. The Complainant has been informed of this and that no further action will be taken.
- CONDCOMP/PCC/42 – This complaint was received on 23rd April 2023 and concerns allegations in relation to an interaction between the Subject Member and the Complainant concerning parking issues. The Subject Member was notified of the complaint and invited to response. The Subject Member denies any knowledge of the interaction and further evidence is therefore being sought from the Complainant.

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Parish Councillors

Since the Committee's last report 2022 there have been no new complaints received in relation to Parish Councillors:

4.2 ONGOING COMPLAINTS

The following complaints remain active since the last meeting:

City Councillors

There are currently no ongoing complaints relating to city councillors.

Parish Councillors

There one ongoing complaint in relation to parish councillors as at the date of the last meeting has now been concluded:

4.3 CONCLUDED COMPLAINTS

- Conduct complaints 37, 39 and 41 have been concluded since the date of the last meeting was set out at paragraph 4.1 above.

5. CONSULTATION

- 5.1 The process for dealing with conduct complaints requires the Monitoring Officer to consult the Independent Person following an initial assessment and before any decisions are taken as to what if any further action is considered appropriate for example, the appointment of an investigator and, following receipt of the investigator's report, whether to refer the matter for a hearing.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 By reporting the complaints that have been made the Committee can more effectively monitor the operation of the Code of Conduct.

7. REASON FOR THE RECOMMENDATION

- 7.1 Regular reporting of both quantities and substance of complaints will help the Committee gain a better understanding of the effectiveness of current procedures and how well the Code is being observed across both the council and parish councils in its area. This will inform future decisions about what training may be necessary to ensure the requirements of the code are being met.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 None

9. IMPLICATIONS

Financial Implications

- 9.1 None

Legal Implications

- 9.2 There are no legal implications in respect of what is proposed.

Equalities Implications

9.3 None

10. BACKGROUND DOCUMENTS

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

10.1 The Localism Act 2011.

11. APPENDICES

11.1 None

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 11
17 JULY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director Law and Governance and Monitoring Officer		
Cabinet Member(s) responsible:	Councillor Andy Coles, Cabinet Member for Finance and Corporate Governance		
Contact Officer(s):	Karen Dunleavy, Democratic Services Officer	Tel. 452233	

WORK PROGRAMME, FUTURE DATES AND MEMBER ISSUES

RECOMMENDATIONS	
FROM: Rochelle Tapping, Director of Law and Governance and Monitoring Officer	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee</p> <p>1. Notes and agrees the Work Programme with any additional items or suggestions to be included</p>	

1. ORIGIN OF REPORT

1.1 This is a standard report to the Constitution and Ethics Committee which forms part of its agreed work programme. This report provides details of the Draft Work Programme for the following municipal year as it stands.

2. PURPOSE AND REASON FOR REPORT

2.1 The programme can be refreshed throughout the year in consultation with the senior officer and the Committee membership to ensure that it remains relevant and up to date. In addition, any delays in reporting issues are recorded so that they do not drop off the committee agenda.

2.2 This is also an opportunity for Members of the Committee to raise any issues of concern under the Committee's terms of reference for discussion or addition to the work programme.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. IMPLICATIONS

Financial Implications

4.1 There are none.

Legal Implications

4.2 There are none.

Equalities Implications

4.3 There are none.

5. APPENDICES

5.1 Appendix A - Work Programme 2023/24.

APPENDIX A

DATE: 17 JULY 2023			
		Section / Lead	Description
	National Honours	Rachel Edwards/Sue Proctor	Nominating people in Peterborough for King's National honours an update on the process from Iain Forsythe
	Appointment of Honorary Recorder of Peterborough	Rochelle Tapping/Adesuwa Ormoregie Legal	Appointment of Honorary Recorder of Peterborough recommendation to Council
	Governance Review update	Rochelle Tapping Legal	Update to Members on the CfGS governance review and update on the timelines for the constitution review.
	Council Champions	Rochelle Tapping	To review Scrutiny Committee suggestions for Council Champions and how this is formally appointed to.
	INFORMATION AND OTHER ITEMS		
	Honours Panel	Rachel Edwards/Sue Proctor	Committee to review updates and recommendations as part of their role as the Honours Panel
	Dispensations Issues	Rochelle Tapping Legal	To receive an update on the use of dispensations.
	Report on Code of Conduct Issues	Rochelle Tapping Legal	To receive an update as to any code of conduct cases
	Work Programme 2023/2024	Democratic Services Karen Dunleavy	

DATE: 18 September 2023

		Section / Lead	Description
	Launch of the Constitution Review	Pippa Turvey	launch of 6-week public consultation and approval of 'interim' updates
	INFORMATION AND OTHER ITEMS		
	Honours Panel	Rachel Edwards/Sue Proctor	Committee to review updates and recommendations as part of their role as the Honours Panel
	Dispensations Issues	Rochelle Tapping Legal	To receive an update on the use of dispensations.
	Training record	Rochelle Tapping /Democratic Services	To review training attendance
	Report on Code of Conduct Issues	Rochelle Tapping	To receive an update as to any code of conduct cases
	Work Programme 2023 / 2024	Democratic Services Karen Dunleavy	

DATE: 20 NOVEMBER 2023

		Section / Lead	Description
	Constitution Review	Rochelle Tapping	Final approval of the Constitution review work.
	Members Training Programme	Rochelle Tapping/Democratic Services	To discuss a training log and options for mandatory Member Training.

	INFORMATION AND OTHER ITEMS		
	Honours Panel	Rachel Edwards/Sue Proctor	Committee to review updates and recommendations as part of their role as the Honours Panel
	Dispensations Issues	Rochelle Tapping Legal	To receive an update on the use of dispensations.
	Update on National Issues	Rochelle Tapping Legal	To receive a report on any issues of national importance
	Report on Code of Conduct Issues	Rochelle Tapping Legal	To receive an update as to any code of conduct cases
	Work Programme 2023 / 2024	Democratic Services Karen Dunleavy	

DATES: 5 FEBRUARY 2024			
		Section / Lead	Description
	Start Time of Committee Meetings 2023/24	Karen Dunleavy	To agree the start time of meetings for the new municipal year 2023/24.
	INFORMATION AND OTHER ITEMS		
	Honours Panel	Rachel Edwards/Sue Proctor	Committee to review updates and recommendations as part of their role as the Honours Panel
	Dispensations Issues	Rochelle Tapping Legal	To receive an update on the use of dispensations.

	Report on Code of Conduct Issues	Rochelle Tapping Legal	To receive an update as to any code of conduct cases
	Work Programme 2024 / 2025	Democratic Services Karen Dunleavy	