

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 5
18 NOVEMBER 2024	PUBLIC REPORT

Report of:	Neil McCarthur Director of Legal and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Mohammed Jamil – Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Daniel Snowdon – Democratic and Constitutional Services Manager	Tel. 01733 384639

PLAN FOR THE REVIEW OF THE CONSTITUTION

RECOMMENDATIONS	
FROM: Neil McCarthur – Director Legal and Governance and Monitoring Officer	Deadline date: November 2024
<p>It is recommended that Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> Note and comment on the proposed plan and timeline for the review of the Council's Constitution. 	

1. ORIGIN OF REPORT

- The Centre for Governance and Scrutiny (CfGS) was commissioned by the Council in 2023, in concert with the Local Government Association (LGA), to provide support in the undertaking of a review of its governance arrangements. Part of its recommendations included the review of the Council's Constitution and this report forms part of this work.

2. PURPOSE AND REASON FOR REPORT

- The purpose of this report is to present a plan for the review of the Council's Constitution that prioritises areas that require more urgent focus.

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

- The Centre for Governance and Scrutiny (CfGS) was commissioned by the Council in 2023, in concert with the Local Government Association (LGA), to provide support in the undertaking of a review of its governance arrangements.

- 4.2 Work has been undertaken to identify areas of priority for review in the form of a RAG status. This can be found at Appendix B. The priority areas for review include:
- Public Participation
 - Executive functions
 - Scrutiny arrangements
- 4.3 The review of public participation seeks to simplify the petitions process and ensure that a public speaking scheme exists for the Council that allows the public to address Council meetings.
- 4.4 Currently the public speaking arrangements for Council meetings are unclear. There are specific public speaking schemes for regulatory committees, however, there is nothing in place for meetings such as Cabinet and there is reliance on the discretion of the Chair to agree to speakers and duration of speeches. A public speaking scheme will ensure clarity for all and improve public participation at meetings.
- 4.5 The review of executive functions is currently looking at the Terms of Reference for Shareholder Cabinet. The purpose of the review is to afford certain decision-making powers to Shareholder Cabinet with regard to:
- a) Determination of Articles of Association
 - b) The determination of decisions reserved to the Council as shareholder or member of a company, partnership or charity;
 - c) Approval of Business Plans;
 - d) Approval of changes to service agreements in respect of KPIs, service levels and service standards;
 - e) The setting of Policy Strategy and objectives for the operation of the Council's companies, partnerships and charities.

These revisions will improve efficiency of decision making by reducing the number of reports being referred to Cabinet for endorsement. The review also seeks to simplify the language of the Terms of Reference and eliminate any contradictions and unclear language.

- 4.6 The Council's Scrutiny arrangements are currently being reviewed with a view to improve engagement from Councillors and Officers.

Proposals are scheduled to be presented to Corporate Leadership Team and Group Leaders ahead of presentation to the scrutiny committees and Constitution and Ethics Committee.

- 4.7 The timeline proposes update reports be presented to Constitution and Ethics Committee during this review process. It is likely to meet the timescales set out, an additional meeting of the Committee will be required in April 2025 to review, approve changes and make recommendations to Full Council.

5. CORPORATE PRIORITIES

- 5.1 This is an update report and has no impact on the Corporate Priorities at this stage.

6. CONSULTATION

- 6.1 Constitution and Ethics Committee – 18 November 2024

- 6.2 It is planned for components of the review to be presented at Corporate Leadership Team, Group Leaders and relevant committees as the work progresses as per the plan.

7. REASON FOR THE RECOMMENDATION

7.1 To keep the Constitution and Ethics Committee apprised of the Constitution review and provide details of the key milestones.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 The alternative is to do nothing. The Constitution requires review and modernisation to ensure good governance at the Council, hence the do nothing option has been discounted.

9. IMPLICATIONS

Financial Implications

9.1 None.

Legal Implications

9.2 None at this stage.

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 Peterborough City Council Constitution [Peterborough City Council Constitution](#)

11. APPENDICES

11.1 Appendix A – Proposed Timeline
Appendix B – RAG status and Committee dates

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