Audit and Governance Committee

Date of meeting:	10 March 2026
Title of Report:	**Pre-election Period Guidance Update**
Lead Strategic Director:	Tracey Lee (Chief Executive)
Author:	Liz Bryant, Service Director for Legal (Monitoring Officer)
Contact Email:	Liz.bryant@plymouth.gov.uk
Your Reference:	
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report
To present the external legal review of Plymouth City Council's 'Guide to Council Publicity During the Pre-Election Period', undertaken as part of the Action Plan arising from the Armada Way Independent Learning Review (AWILR), in particular recommendation 5.

Recommendations and Reasons
That Audit and Governance Committee:

1. Notes the contents of the review
2. Endorses the proposal to revise and shorten the Council's guidance, aligning it with the LGA's annual guidance.
3. Considers the draft Guide to Pre-election Publicity attached at Appendix B
4. Agrees that the Monitoring Officer will finalise the redrafting of the guidance, based on any comments made by the Committee, ensuring legal consistency.

Reason: Reason for your recommendation
The AWILR Action Plan committed to a review of the Council's Pre-election Period Publicity Guidance in light of the recommendations made by the AWILR in relation to the Council's approach to pre-election publicity. External legal advice has been sought and the recommendations are reflective of advice the Council has received. Due to the forthcoming Local Elections on 7 May, and the commencement of the Pre-election period at 6:00pm on 23 March 2026, any feedback received from the Committee will need to be incorporated by the Monitoring Officer prior to finalising and publishing straight after the Committee on 10 March.

Alternative options considered and rejected
1. Not to update the existing guidance. This option is rejected as it fails to take account of the AWILR recommendations and the commitments made by the Council as part of the resultant Action Plan. The amendment of the guidance contributes to the overall governance improvements that the Council has committed to make.

Relevance to the Corporate Plan and/or the Plymouth Plan
This decision directly supports Plymouth City Council's Corporate Plan by strengthening governance, enabling timely delivery of key programmes, and ensuring that essential services continue without unnecessary disruption during the preelection period. The Plan emphasises being a *values led organisation with a strong focus on delivery* and maintaining Plymouth as a fairer, greener city with effective stewardship of public resources. Streamlining preelection guidance helps avoid delays to priority areas such as tackling crime and antisocial behaviour, maintaining cleaner and greener streets, progressing housing delivery, and supporting major infrastructure and investment programmes. By adopting a proportionate, legally grounded approach, the Council enhances transparency, confidence, and operational continuity key conditions for achieving its strategic ambitions.

Implications for the Medium Term Financial Plan and Resource Implications:
There are no implications.

Financial Risks

There are no risks as a result of this report

Legal Implications
The statutory framework governing pre-election publicity can be found in section 2 of the Local Government Act 1986 and the 2011 Code of Recommended Practice on Local Authority Publicity. The statutory provision only prohibits publicity that could reasonably be seen as influencing public support for a political party, rather than restricting routine or urgent council business. The review confirms that decisions taken during the preelection period are not inherently unlawful, and that mandatory functions, statutory time limited decisions, and publication requirements (including planning, licensing and meeting documentation) can continue. A revised, proportionate approach will reduce the risk of unnecessary delays, ensure compliance with legal duties, and provide clearer grounds for Monitoring Officer oversight where questions arise over what constitutes prohibited publicity.

Carbon Footprint (Environmental) Implications:
The review and proposed revision of the Council's pre-election period guidance have no direct operational impact on the Council's carbon footprint.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:
** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*
There are no direct equalities impacts arising from this review, as the recommendations relate to internal governance processes and legal compliance rather than changes to service delivery, access to services, or policies affecting specific groups. Indirectly, clearer guidance may support more timely progression of Council decisions, including those relating to equality related programmes, by reducing unnecessary delays in the preelection period.

There are no direct health and safety implications, as the proposals concern the interpretation and application of publicity rules, not operational activities. However, improved clarity around what constitutes permissible decision making may help ensure that decisions relating to public safety, statutory duties, or risk management are not unnecessarily delayed.

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	**Exemption Paragraph Number** (if applicable) *If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.*						
		1	**2**	**3**	**4**	**5**	**6**	**7**
A	Briefing report – Review of the Council's Approach to Pre-election Publicity Guidance							
B	Draft Pre-election Publicity Guidance							

Background papers:

**Add rows as required to box below*

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	**Exemption Paragraph Number** (if applicable) *If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.*						
	1	**2**	**3**	**4**	**5**	**6**	**7**

Sign off:

Fin	DN.25.26.034	Leg	LS/0000360950/LB/27/02/26	Mon Off	LS/0000360950/LB/27/02/26	HR	N/A	Assets	N/A	Strat Proc	N/A
Originating Senior Leadership Team member: Liz Bryant											
Please confirm the Strategic Director(s) has agreed the report? Yes Date agreed: 02/03/2026											