

## Brighton & Hove City Council

**Meeting:** Children, Families & Schools Committee  
Children & Young People's Trust Board

**Date:** 17 March 2008

**Report of:** Director of Strategy & Governance

**Subject:** Arrangements for the move to a new Constitution

**Ward(s) affected:** All

### 1. Purpose of the report

- 1.1 To confirm to the Children, Families & Schools Committee (CFS Committee) and Children and Young People's Trust Board (for information) that, subject to Council approval on 24<sup>th</sup> April 2008, this will be the last meeting of the CFS Committee.
- 1.2 To set out the arrangements for the work of the Council's CFS Committee under the Council's new Constitution.

### 2. Recommendations

- 2.1 To note the requirements of the Local Government and Public Involvement in Health Act 2007 (the Act) requiring Brighton & Hove City Council to move to new constitutional arrangements;
- 2.2 To note how the work of the current CFS Committee will be discharged under the proposed new arrangements;
- 2.3 To note the proposal to prepare a book to commemorate the life of the CFS Committee, for which Members are asked to participate in a photograph at the end of this meeting.

### 3. Information/background

- 3.1 Members will be aware of the Local Government and Public Involvement in Health Act 2007 and in particular its implications for the City Council's

“alternative arrangements” Committee System. The Act requires the Council to cease to operate alternative arrangements and to introduce a “new style” Leader & Cabinet system.

### **The new System**

- 3.2 The details of the new proposals will require Full Council approval on 24<sup>th</sup> April 2008, with the intention that the new arrangements will come into effect on 15<sup>th</sup> May 2008.
- 3.3 In designing the new system with the Leaders Group, the approach has been to take the “best bits” of what we have, recognise that there are a number of elements that have to change and use lessons from the experiences of other executive models. The aim has been to build a democratic system that meets statutory requirements and fits the traditions and aspirations of the City and the Council.
- 3.4 Under the new arrangements, the Council will continue to have 54 Councillors, elected on the same basis as now. After each election, the Council will elect a Leader, and the Leader will then appoint up to nine other Councillors to serve in his or her Cabinet. The Leader and Cabinet exercise all of the executive functions of the Council, being the day to day decision making and running of the authority. They do so within the budget and policy framework set by the whole council. Licensing and Planning decisions, as well as other regulatory functions, continue to be dealt with by Committees.
- 3.5 The arrangements include provision to ensure that every Cabinet Meeting or meeting where a Cabinet Member makes a decision will be taken in public with full public access, as now. There will be a Forward Plan which identifies key decisions planned over the coming four months. Six Overview and Scrutiny Committees will review and scrutinise decisions taken by the Cabinet and Executive Members.

### **4. The work of the CFS Committee**

- 4.1 Under the new Constitution, the work of CFS Committee will become the responsibility of the Cabinet Member for Children and Young People. He or she will take decisions on behalf of the Council at meetings of the Children and Young People’s Trust Board (CYPTB). The Cabinet Member will invite Members of the same number and political composition as are currently represented at CFS Committee to attend the CYPTB meetings. As now, there will be the opportunity for public questions, letters and deputations at these meetings. The business of the meeting will continue to be published in advance and a record of decisions taken will also be published.

- 4.2 Where a Council decision has significant corporate budgetary or policy implications (or where the Leader, the Cabinet or Cabinet Member requests) it will be referred to a meeting of the Cabinet, also in public, with the same access to information as set out above.
- 4.3 The Council will retain the same “call-in” mechanism that it currently operates, whereby Councillors can ask for a decision to be suspended while it is called in for scrutiny. The powers of the Scrutiny Committees remain the same, meaning that a decision which has been called in cannot be overturned by a Scrutiny Committee. The Executive can be asked to reconsider its decision but the power to take or change the decision rests with the Executive.
- 4.4 Under the proposed arrangements, the Overview and Scrutiny of Childrens’ Services will be undertaken by a Children and Young People’s Overview and Scrutiny Committee.
- 4.5 The scope of officer delegated powers remains unchanged in the new system.
- 4.6 Further information on the proposals for the new system are set out in the Policy and Resources Committee Report of 6<sup>th</sup> March 2008 and in the Introductory Guide to Brighton and Hove Council’s New Constitution, both available on the Council’s website.

## **5. Next steps**

- 5.1 The Full Council will be asked to approve the new arrangements at its meeting on 24<sup>th</sup> April and, if approved, the new system would come into force on 15<sup>th</sup> May 2008.
- 5.2 This meeting will therefore be the last for the Children, Families and Schools Committee in its current format. Members and the public will be made aware of the dates for the CYPTB meetings and Cabinet Meetings as well as Overview and Scrutiny meetings and Full Council meetings.
- 5.3 It is proposed that to commemorate the work and achievements of the CFS Committee, a commemorative book is prepared by Democratic Services which will be available for the public and Members to view in Brighton Town Hall. Part of the book will be a photograph of the current Members of the Committee and for this purpose Members of the Council’s CFS Committee are kindly asked to take part in a photograph at the end of this meeting.



<b>Meeting/Date</b>	CYPTB
<b>Report of</b>	Director of Strategy & Governance
<b>Subject</b>	Arrangements for the move to a new constitution
<b>Wards affected</b>	All

**Financial implications**

There are no financial implication arising from this report, which is for information.

**Legal implications**

There are no legal implications arising from this report, which is for information.

<b>Corporate/Citywide implications</b>	<b>Risk assessment</b>
Contained within the body of the report	None specific to this report, which is for information.
<b>Sustainability implications</b>	<b>Equalities implications</b>
None specific to this report, which is for information.	None specific to this report, which is for information.
<b>Implications for the prevention of crime and disorder</b>	
None specific to this report.	

**Background papers** *[Part 1 reports only]*

Introductory Guide to Brighton & Hove Council's New Constitution available on the Council website.

Policy and Resources Committee report of 6<sup>th</sup> March 2008, available on the Council website.

**Contact Officers:**

*Alex Bailey, Director of Strategy & Governance x 1295*

*Abraham Ghebre-Ghiorghis, Head of Law x 1500*

*Anthony Zacharzewski, Head of Chief Executives Policy Team x 6855*

