



**Brighton & Hove  
City Council**

**COUNCIL  
ADDENDUM**

**4.30PM, THURSDAY, 28 MARCH 2013**

**COUNCIL CHAMBER, HOVE TOWN HALL**



## ADDENDUM

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**110. REVIEW OF THE CONSTITUTION (MARCH) 2013**

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**111. NOTICES OF MOTION.**

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**WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed for questions submitted by a member of the public who either lives or works in the area of the authority at each ordinary meeting of the Council.

Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion.

The following five written questions have been received from members of the public.

**(a) Ms Ferguson**

“We appreciate that the Transport Committee has a mandate to ensure traffic moves in a safe manner at 7 Dials and that a public consultation exercise was undertaken in relation to the new proposals. However, the tree campaign highlights other aspects of life in the city, such as the need to maintain the character of the area, health and well-being, and sustainability of the environment.

Given the strength of feeling to retain the Elm Tree, will the council agree to a multi-disciplinary approach to review the proposed plan, consult further with residents and secure an alternative plan that will save the Elm Tree and achieve improved traffic control?”

**Councillor Kitcat, Leader of the Council, will reply.**

**(b) Mr Furness**

“Regarding the proposed felling of the elm tree at the Seven Dials, could you please tell us, Councillor West, whether;

- 1) the Arboriculture Department under the watchful eye of Di Morgan were consulted; and
- 2) whether this department had made you aware that the elm in question is a Wheatley Elm – the rarest form of elm in the world?”

**Councillor West, Chair of the Environment & Sustainability Committee will reply.**

**(c) Ms Paynter**

"How many street trees has Brighton & Hove City Council planted in Brighton, Hove and Portslade in each of the financial years since the Green Party took over the Administration of the city and have any of them been Wheatley Elms?"

**Councillor West, Chair of the Environment & Sustainability Committee will reply.**

**(d) Mr Kemble**

"At a meeting of the Transport Committee on 15th January 2013 a number of representatives from the Taxi Forum were in the public audience. During the debate on the 20mph speed limit across the City, Councillor Davey publicly stated that the taxi trade had been consulted. However there is no mention of this in the minutes of the meeting.

Would Councillor Davey now publicly state what consultation was carried out?"

**Councillor West, Chair of the Environment & Sustainability Committee will reply.**

**(e) Ms. Shepherd**

"As residents of Roedean we overlook the Marina and most of us visit regularly for shopping, eating, sailing and to enjoy the marina environment. In the light of the many points raised by expert witness, Professor John Watts one of the architects involved in the construction of the Marina, we are concerned as to the future safety for residents and visitors alike if the planned development should proceed. In particular we ask where the RNLI station will be relocated and when bearing in mind this provides a vital service not only to this Marina but other communities along the coast."

**Councillor Bowden, Chair of the Economic Development & Culture Committee, will reply.**

**DEPUTATIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes following which one Member of the Council, nominated by the Mayor, may speak in response. It shall then be moved by the Mayor and voted on without discussion that the deputation be thanked for attending and its subject matter noted.

Notification of one Deputation has been received. The spokesperson is entitled to speak for 5 minutes.

**Deputation concerning the Marina from the Marine Gate Action Group (Spokesperson) – Mr J Watts**

This deputation is brought by the below named Societies and Associations on behalf of their members and by individuals in the public interest of all residents of Brighton who are concerned for the preservation and protection of the amenity provided by the Brighton Marina. The deputation is consequent upon amendments to planning permission BH2006/01124 sought by a current S73 planning application BH2012/04048.

The Brighton and Hove City Council are the superior landlord and the freeholder of Brighton Marina and as such have Corporate Responsibility under the Brighton Marina Act 1968 Part V Section 58 (2) (b) for ensuring the safety of residents and users of Brighton Marina. This is separate to the granting of Planning Permission.

- 1 Reference the entrance to the harbour and alterations to the Spending Beach. The Marina was designed as a safe harbour for all boats and sailors of professional and amateur ability. The Spending Beach is made up of two parts – the shingle and the armouring. The armouring at Brighton Marina is the ‘akmons’ – the strange shaped concrete blocks. This absorbs the energy of the waves and prevents the waves from reflecting back on each other and increasing their energy. The applicant in the 2006 planning application introduced ‘wave chambers’ to absorb the energy and removed the armouring and said this was the best solution. The Council approved the application. Now the same applicant is proposing to remove the wave chambers and introduce over 300 piles into the Spending Beach necessitating the removal of all of the armouring. The applicant now says this is the best solution but in truth does not know which is the best solution because there is insufficient evidence that a model has been tested in a marine laboratory with wave machine. In order to push the application through the planning process it appears the applicant is willing to put the lives of yachtsmen and other sailors at risk. Before the Marina was built (1971-1979) a model was tested for three and a half years in the largest marine laboratory in Europe under all climatic conditions and the result has stood the test of time. Past experience indicates that driving a huge number of piles into the Spending Beach will fracture the original sea bed under the Spending Beach and could in a worst case scenario destabilise the Western breakwater.

- 2 The applicant seeks to put an underwater car park in the tidal harbour. It is a huge structure, three storeys high and the area of two football fields. It will displace an estimated 53,000 cubic metres of water and take up 12% of the Outer Harbour. It is proposed to drive sheet steel piles into the sea floor to form a coffer dam and to pump out water in order to construct the car park structure. This will fracture the chalk sea bed and could destabilise the wall that keeps the tidal water from the reclaimed land. It could be termed an underwater hazard under Section 24 of the Brighton Marina Act. The structure will reduce the efficiency of sluice gates that serve to change the water in the Inner Harbour and the anaerobic conditions in the inner harbour could become an environmental concern. Access for emergency services to the car park appears not to comply with Section 35 of the East Sussex Act 1981.
  
- 3 The main drainage in the Marina is mainly gravity with three pumping chambers. The original design was for 850 dwellings, a hotel and retail etc. The standby capacity was 3.5 days. According to Southern Water the original pipes are now 40 years old and have been 'sleeved' twice reducing the size from 300mm to 200mm. Southern Water estimate the standby capacity is now 3.5 hours. Adding 192 dwellings to this is an environmental concern.
  
- 4 The micro-climate at the base of the proposed F1/F2 towers will be unacceptable. The applicant admitted in 2006 that pedestrians would not be able to stand around. The 'venturi' effect between the blocks in a westerly gale could be dangerous and pedestrians caught by wind could be injured. It appears that this has never been tested using criteria taken from the 'as built' Marina. Wind data is from Shoreham Airport.

The undersigned request that Brighton and Hove Council exercise their powers under the Brighton Marina Act 1968 Part V Section 58 (2) (b). We seek the Council's reassurance that all points raised will be rigorously tested by independent experts before any further development is considered.

Professor John Watts  
 Space in Time Architects  
 (The original site architect for  
 Brighton Marina 1971-79)

Robert Powell  
 Architect/Planner  
 Marine Gate Action Group

Rosemary Shepherd  
 Chair  
 Roedean Residents Association

Patrick Wallace  
 Board Chairman  
 Marine Gate Holdings Ltd

Jill Sewell  
 Hon Secretary, Kemp Town Society

Brian Simpson  
 Founder - Save Brighton

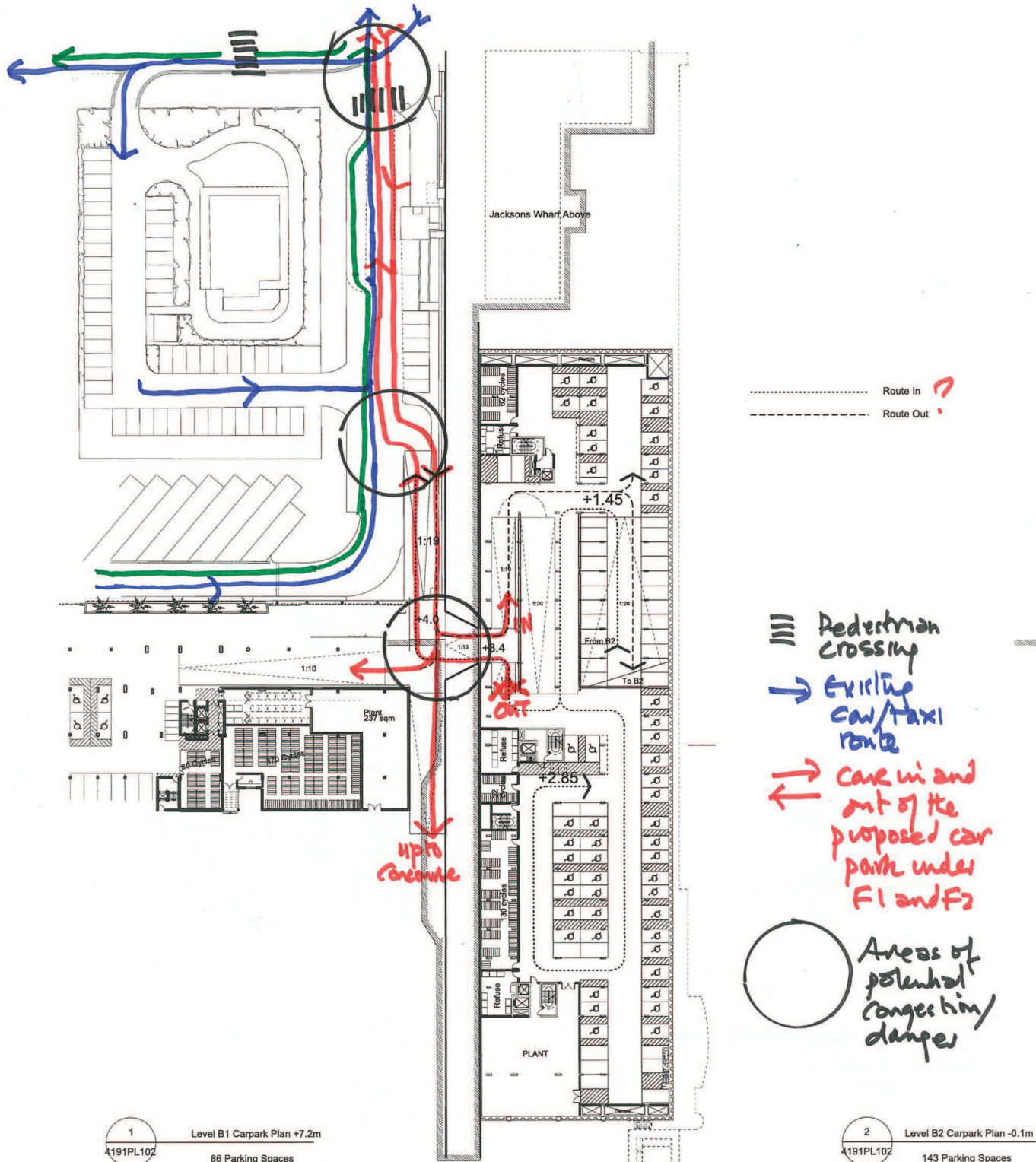
**Councillor G. Bowden, Chair of the Economic Development & Culture Committee.**





Aerial view of Brighton Marina today





Route In ?  
Route Out ?

Redeemman crossing  
Existing car/taxi route  
Car in and out of the proposed car park under F1 and F2

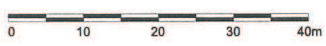
Areas of potential congestion/danger

1 Level B1 Carpark Plan +7.2m  
4191PL102 86 Parking Spaces

2 Level B2 Carpark Plan -0.1m  
4191PL102 143 Parking Spaces

86 PARKING SPACES INCLUDING 50 DISABLED 6 RNLI  
4 MOTORCYCLE BAYS 224 BICYCLES

BASED ON WILKINSON EYRE ARCHITECTS  
DRAWING NUMBER 353/P/205 P3-A





<b>Council</b>	<b>Agenda Item 101(a)</b>
28 March 2013	Brighton & Hove City Council

**PETITION REPORT**  
**GREEN GROUP AMENDMENT**  
**ELM TREE AT SEVEN DIALS**

Insert an additional recommendation 2.2 as shown in bold italics:

**RECOMMENDATIONS**

- 2.1 That the petition is referred to the Transport Committee for consideration; and
- 2.2 That officers prepare a report for 30<sup>th</sup> April Transport Committee, detailing alternative options for Vernon Terrace and Seven Dials that could retain the tree.***

Proposed by: Cllr J. Kitcat

Seconded by: Cllr Buckley



**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions listed on pages 51 - 52 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

**(a) Councillor Morgan**

“Will the city council install a marked no parking bay outside of Walter May House, a sheltered housing block on Whitehawk Road, to allow occupants with disabilities and wheelchair users to board minibuses and taxis safely? Since the introduction of controlled parking in the area the road outside has become congested with parked vehicles, meaning residents and day care staff have had to board transport in the road as traffic passes.”

**Reply from Councillor Davey, Chair of the Transport Committee.**

“I have asked officers to investigate this location and they did confirm that whilst there are no restrictions in place in this area, this does mean that vehicles for Walter May House residents can park here as well when parking is available. I appreciate that at certain times there may not be any free spaces making loading more difficult for residents and staff.

Currently, Traffic Officers are fully engaged on a full and extensive work programme and whilst the funding for minor traffic schemes such as this was withdrawn by Budget Council, I will discuss proposals with the Head of Transport to see how we can address these small projects in the future.”

**(b) Councillor K. Norman**

“How many expressions of interest have been received for the purchase of the mayoral number plate CD1 since it was put on the market last year?”

**Reply from Councillor J. Kitcat, Leader of the Council.**

“There has been one formal expression of interest.”

**(c) Councillor Janio**

Concerns have been raised with me by residents about the rigid implementation by the Council of the policy of reducing the size of all allotments that become free from 10 rods to 5 rods. Will Cllr. West please look into this issue as part of the review of the Allotment Strategy in the coming months and consult with all interested parties to see if a more flexible approach might be possible?

**Reply from Councillor West, Chair of the Environment & Sustainability Committee.**

“Thank you for your question. As you know allotments are very popular in the city and we simply do not have enough plots for everyone on the waiting list – that is around 2,000 people. Some people have been waiting for a plot since 2003. We are looking for additional land but there is no way we will be able to find and afford to provide plots for everyone. That is why, several years ago, the size of the plots were reduced to a size which still allows sufficient amount of cultivation for families and is more manageable. As you point out, we are working with the Allotment Federation and we are agreed that we must get more people growing. We will be exploring how we do that within our current budgets and we are more than happy to review all policies and look at the issues of plot size as part of that review.”



**Council**

28 March 2013

**Agenda Item 105**

Brighton &amp; Hove City Council

**Subject:** Pay Policy Statement 2013-2014 - Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 21 March 2013

**Date of Meeting:** 28 March 2013

**Report of:** Monitoring Officer

**Contact Officer:** Name: **Mark Wall** Tel: **29-1006**

E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**FOR GENERAL RELEASE****Action Required of Council:**

To receive the item referred from the Policy & Resources Committee for approval:

**Recommendation:**

That the Council approve the adoption of the Pay Policy Statement 2013/14 attached at Appendix A to the report.

**POLICY & RESOURCES COMMITTEE****4.00 pm 21 March 2013****COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Mitchell (Opposition Spokesperson), Morgan, A Norman, Peltzer Dunn, Shanks, Wakefield and West.

**PART ONE****161. PAY POLICY STATEMENT 2013-2014**

161.1 The Head of Law introduced the report which detailed the annual pay policy statement for 2013/14 which the council was required to produce and approve each year. He noted that the council had reviewed its policy for the publication of its pay policy in the

preceding year and that it remained the same for the current year and that as part of the review of the constitution, it had been agreed that any salaries of £100k and above would be considered by the Appointments & Remuneration Panel and recommendations made to the Chief Executive rather than having to be considered by the full Council. He also drew Members' attention to the need to alter the reference on page 81 of the report to 'Executive Directors' rather than Chief Officer to reflect the council's senior officer structure.

- 161.2 Councillor A. Norman welcomed the report and noted that the policies referenced in paragraph 16 on page 83 of the report did not appear to be on the council's web site and asked that this be rectified as soon as possible.
- 161.3 The Committee noted that the Chief Executive's appointment remained as having to be confirmed by full Council and that the intention to enable the Appointments & Remuneration Panel to consider the appointments for posts of £100k and above was so that full and frank discussions could be held with all necessary information available to be able to make a considered recommendation to the Chief Executive. The Head of Law stated that the council was able to determine how it dealt with the appointment process and noted that other neighbouring authorities had adopted similar procedures rather than expecting full council to consider such matters.
- 161.4 **RESOLVED TO RECOMMEND:** That the Council be recommended to approve the adoption of the Pay Policy Statement 2013/14 attached at Appendix A to the report.

Rules. The Council's Appointments and Remuneration Panel is responsible for advising on the remuneration applicable to;

- a) the permanent appointment of ~~Chief Officers~~ **Executive Directors**,
- b) any proposal to offer a permanent appointment with a salary package of £100,000 or more.

The Appointments and Remuneration Panel may also be consulted for its views in connection with the statement of pay policy. The policy in respect of the remuneration of interims and consultants is set out under paragraph 17 below.

## **5 Grading Structure**

The council uses a recognised, analytical job evaluation scheme to ensure that there is an objective process for determining the relative size of jobs and thus allocating jobs to the appropriate grade. This is used for all posts, apart from those of the Chief Executive and Executive Directors and staff employed on Soulbury and Youth Worker conditions of service. Our current pay and grading structure was implemented during 2010 and our new minimum spinal column point was set at the level of the Council's 'Living Wage'.

## **6 Progression**

All posts, apart from that of the Chief Executive and Members of the Executive Leadership Team (but not the Assistant Chief Executive) are employed on grades containing spinal column points. Employees progress through their grade each year, rising by one incremental point, until reaching the maximum point of the grade. Pay awards for NJC and JNC staff are negotiated nationally. Where a member of staff is the subject of formal disciplinary and capability processes, increments may be withheld.

Employees may be accelerated up the pay grade by a maximum of two spinal column points to recognise exceptional performance.

## **7 Remuneration on Appointment**

Staff are usually appointed on the minimum spinal column point of the grade. However, where there are difficulties recruiting to a post or where an individual can demonstrate significant valuable previous experience, appointment may be agreed at a higher spinal column point within the grade.

The Council's Appointments and Remuneration Panel is responsible for advising the Chief Executive on the appropriate starting salary for any new permanent ~~JNC~~ **Executive Director** appointments.

## **8 Chief Executive**

The Chief Executive's salary is set to ensure that it is competitive when compared to roles of similar size and complexity elsewhere and with regard to the challenges, additional hours and working arrangements required to



**Council**

28 March 2013

**Agenda Item 106**

Brighton &amp; Hove City Council

**Subject:** Annual Update of the Council's Corporate Plan 2013/14 - Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 21 March 2013

**Date of Meeting:** 28 March 2013

**Report of:** Monitoring Officer

**Contact Officer:** Name: Mark Wall Tel: 29-1006  
E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**FOR GENERAL RELEASE****Action Required of Council:**

To receive the item referred from the Policy &amp; Resources Committee for approval:

**Recommendation:**

That the refreshed Corporate Plan content (Appendix 1), including the new Commitments for 2013/14 as included in the Budget be adopted.

**POLICY & RESOURCES COMMITTEE**

4.00 pm 21 March 2013

**COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Mitchell (Opposition Spokesperson), Morgan, A Norman, Peltzer Dunn, Shanks, Wakefield and West.

**PART ONE****163. ANNUAL UPDATE OF THE COUNCIL'S CORPORATE PLAN 2013/14**

163.1 The Chief Executive introduced the report which provided an update to the Council's Corporate Plan and detailed the progress achieved in relation to the commitments that

had been identified and new commitments that were proposed. She stated that the number of priorities had been reduced from five to four with the previous priorities 4 and 5 being merged into a new priority 4, 'Modernising the Council.' She believed that revised corporate plan set out the council's role, purpose, ambition, priorities and values which could be supported by all Members and employees.

- 163.1 The Chair welcomed the report and stated that he believed the inclusion of the priorities within the budget setting process was a positive step forward and noted that 52 commitments had been achieved and a further 13 partially achieved, which he felt should be recognised as excellent progress. He wished to thank everyone involved in the achievements to date.
- 163.2 Councillor West welcomed the report and stated that he also wished to thank the Chief Executive for her contribution and measured approach to the revised corporate plan and the intention to combine the new commitments within the budget process. He drew the committee's attention to the second priority on page 208 and stated that the committee should be encouraged by the work of officers in delivering changes.
- 163.3 Councillor G. Theobald stated that he believed the promotion of the local economy as detailed on page 206 should underpin everything that the council did and welcomed the level of investment that had been attracted into the city. However, he also stated that the Conservative Group could not support the recommendations contained in the report because of the commitment to a permanent Travellers site being established at Horsdean on page 194; and therefore would abstain from voting on the report.
- 163.4 The Chair noted the comments and that the commitment for a permanent site had been made by the previous administration in successfully bidding for funding from the Government and therefore the council needed to provide a site.
- 163.5 Councillor Mitchell moved a point of order and stated that there had been an urgency meeting to enable the submission of the bid for £1.7m to approve the provision of a travellers' site identified at Wilson Avenue and noted that it was now government policy to require local authorities to identify traveller sites within their boundaries.
- 163.6 Councillor Wakefield drew the committee's attention to pages 187 and 188 of the report and the intention to enable people to remain in their own homes which she felt was an important consideration for everyone and should be fully supported.
- 163.7 Councillor Shanks welcomed the fact that recent Ofsted inspections had found that schools were performing well and hoped that further improvements would be made.
- 163.8 The Chair noted the comments and put the recommendations to the vote.
- 163.9 **RESOLVED TO RECOMMEND:**
- (1) That the refreshed Corporate Plan content (Appendix 1), including the new Commitments for 2013/14 as included in the Budget be agreed, and recommended for adoption at the full Council meeting in March; and

- (2) That the progress made on the 2012/13 Commitments as summarised under each of the priorities in the Corporate Plan (Appendix 1) and in more detail in Appendix 2 and Appendix 2.1 to the report be noted.





**Council**

28 March 2013

**Agenda Item 107**

Brighton &amp; Hove City Council

**Subject:** Annual Investment Strategy 2013/14 - Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 21 March 2013

**Date of Meeting:** 28 March 2013

**Report of:** Monitoring Officer

**Contact Officer:** Name: **Mark Wall** Tel: **29-1006**

E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**FOR GENERAL RELEASE*****Action Required of Council:***

To receive the item referred from the Policy & Resources Committee for approval:

**Recommendation:**

That the Annual Investment Strategy 2013/14 be approved.

**POLICY & RESOURCES COMMITTEE**

4.00 pm 21 March 2013

**COUNCIL CHAMBER, HOVE TOWN HALL**

**DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Mitchell (Opposition Spokesperson), Morgan, A Norman, Peltzer Dunn, Shanks, Wakefield and West.

**PART ONE****158. ANNUAL INVESTMENT STRATEGY 2013/14**

158.1 The Director of Finance introduced the report which detailed the proposed Annual Investment Strategy for the council for 2013/14 as required by the Local Government Act 2003. She noted that last July there had been a major change following a review

of the strategy and there had been very little change to that in the current proposed strategy. She therefore recommended that it be agreed and recommended to the council for approval.

- 158.2 Councillor Littman welcomed the report and thanked the officers for their work.
- 158.3 Councillor G. Theobald noted that the list of banks where investments could be placed included two that were UK Ltd and asked for assurance that any investments in these banks would be secure and whether there was any difference for organisations such as the council compared to individual investors.
- 158.4 The Director of Finance stated that all the banks listed were UK based and therefore any investments were safeguarded under UK rules. She was not sure about whether there was any difference for organisations and individuals and would therefore provide a written response for Councillor Theobald.
- 158.5 The Chair noted the comments and put the recommendations to the vote.
- 158.6 **RESOLVED TO RECOMMEND:**
- (1) That the Annual Investment Strategy 2013/14 as set in Appendix 1 to the report be agreed; and
  - (2) That the Annual Investment Strategy 2013/14 be recommended to Council for approval.

**Council**

28 March 2013

**Agenda Item 110**

Brighton &amp; Hove City Council

**Subject:** **Review of the Constitution (March) 2013 - Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 21 March 2013**

**Date of Meeting:** **28 March 2013**

**Report of:** **Monitoring Officer**

**Contact Officer:** Name: **Mark Wall** Tel: **29-1006**

E-mail: [mark.wall@brighton-hove.gov.uk](mailto:mark.wall@brighton-hove.gov.uk)

**Wards Affected:** All

**FOR GENERAL RELEASE****Action Required of Council:**

To receive the item referred from the Policy & Resources Committee for approval:

**Recommendation:**

- (1) That the Council the amended constitution documents set out at Appendix 1 (being those relating to committees, sub-committees and advisory bodies) be approved;
- (2) That the changes to the constitution summarised at paragraphs 3.4 to 3.26 and 3.28 to 3.32 of the report and related documents set out in Appendix 2 be approved;
- (3) That the Monitoring Officer be authorised to make consequential amendments as are considered necessary to give effect to the changes agreed at paragraphs 2.1 to 2.3 above;
- (4) That the Chief Executive be authorised to take any steps necessary to implementation of the changes agreed in the report;
- (5) That the Executive Director of Finance & Resources be authorised to make appropriate amendments to Financial Regulations and Standards Financial Procedures to reflect the Officer restructure and the changes relating to the corporate landlord function; and
- (6) That the amendments to the constitution set out in paragraphs 2.1 to 2.6 should come into effect immediately after the conclusion of annual Council on 23 May 2013, except any amendments relating to the terms of reference of the Health & Wellbeing Board and the Financial Regulations and Standards Financial Procedure, which should come into effect on 1<sup>st</sup> April 2013.

**POLICY & RESOURCES COMMITTEE**

4.00 pm 21 March 2013  
COUNCIL CHAMBER, HOVE TOWN HALL

**DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Mitchell (Opposition Spokesperson), Morgan, A Norman, Peltzer Dunn, Shanks, Wakefield and West.

**PART ONE****176. REVIEW OF THE CONSTITUTION (MARCH) 2013**

- 176.1 The Head of Law introduced the report which detailed a number of proposed changes to the council's constitution which had resulted from the recent review and discussions with the Leaders of the three political groups represented on the council. He noted that the council had adopted a new committee system on the 1<sup>st</sup> April 2012 and stated that he believed the new decision-making model had met all of its objectives, without any additional resources being required. There was however room for improvement and a number of changes were being proposed and further work would be undertaken to see if other changes were required e.g. the current partnership arrangements were due to be reviewed.
- 176.2 The Chair stated that he wished to thank all the officers involved in bringing the report to the committee and in enabling the new committee system to be implemented and operate efficiently. He stated that he had been surprised by the level of interest from other authorities since the council's decision to change and adopt a committee system and felt that had to be a positive endorsement of the change. He believed that Members were more engaged in the system and whilst the Green Group felt that separate committees should exist for Environment & Sustainability and Transport, it was recognised that the proposed combining of the two into one committee was fully supported by both opposition groups.
- 176.3 Councillor Morgan welcomed the report and the work that had gone into the review but queried whether the previous Members Working Group should have been involved in the review and all Members asked for their comments on the constitution and possible changes. He also asked for clarification in regard to the proposed Lead Member role and that this would not attract a Special Responsibility Allowance (SRA) within the Members' Allowances Scheme or lead to the creation of further sub-committees.
- 176.4 The Chair confirmed that there was no intention for the Lead Member role to qualify for an SRA or to have additional sub-committees. He was committed to maintaining a streamlined committee system the intention was to formally recognise that the Lead Member would be regarded as having responsibility for that area, which would help them to engage effectively with partners and other organisations.

- 176.5 Councillor G. Theobald stated that he had been asked by other authorities about how the council had managed to move to a new system so quickly and wished to thank the officers concerned for their work in enabling the change to happen. His only concern was in regard to the level of involvement that Members had in Personnel Appeals and asked that this be looked at.
- 176.6 Councillor Peltzer Dunn stated that he wished to complement the officers on undertaking such an enormous task and delivering a new system. He agreed with Councillor Morgan in regard to the Members Working Group and thanked the Chair for the clarification. He also welcomed the intention of giving committees' responsibility for their areas and thanked the officers.
- 176.7 Councillor Kitcat noted the comments and stated that the role of Members in relation to Personnel Appeals had been raised at the Staff Consultation Forum and he believed this was due to be discussed further by the Forum with proposals then being brought forward for consideration. He then put the recommendations to the vote.
- 176.8 **RESOLVED:** That the proposed changes to the constitution in so far as they relate to the scheme of delegations to Officers as set out in Appendix 3 to the report be approved; and
- 176.9 **RESOLVED TO RECOMMEND:**
- (1) That the Council be recommended to approve the amended constitution documents set out at Appendix 1 (being those relating to committees, sub-committees and advisory bodies);
  - (2) That the Council be recommended to approve the changes to the constitution summarised at paragraphs 3.4 to 3.26 and 3.28 to 3.32 of the report and related documents set out in Appendix 2;
  - (3) That the Council be recommended to approve that the Monitoring Officer be authorised to make consequential amendments as are considered necessary to give effect to the changes agreed at paragraphs 2.1 to 2.3 above;
  - (4) That the Council be recommended to approve that the Chief Executive be authorised to take any steps necessary to implementation of the changes agreed in the report;
  - (5) That the Council be recommended to approve that the Executive Director of Finance & Resources be authorised to make appropriate amendments to Financial Regulations and Standards Financial Procedures to reflect the Officer restructure and the changes relating to the corporate landlord function.
  - (6) That the Council be recommended to approve that the amendments to the constitution set out in paragraphs 2.1 to 2.6 come into effect immediately after the conclusion of annual Council on 23 May 2013, except any amendments relating to the terms of reference of the Health & Wellbeing Board and the Financial Regulations and Standards Financial Procedure, which should come into effect on 1<sup>st</sup> April 2013.



**Review of the Constitution (March) 2013**

- (2) To develop and implement the internal and external communications strategies for the Council.
- (3) To provide strategic communications advice to the Council in support of its priorities, vision, values and services.
- (4) To provide a 24 hour Council wide press service and contingency plans for crisis press management.
- (5) To ensure that the content and the design of Council publications, leaflets, internet, intranet and all other published materials maintain the Council's corporate identity and are of an appropriate standard in terms of design quality and accessibility.
- (6) To prepare and distribute such newspapers, information leaflets and other periodical publications as the Council may approve from time to time.

**4. Tourism**

- (1) To exercise the Council's functions regarding tourism.
- (2) To provide publicity and information services for the promotion of Brighton and Hove as a major tourist, conference, exhibition and holiday centre including the planning and execution of publicity and advertising schemes, the preparation and dissemination of guides and similar publications, and co-operation with national, regional and local bodies in all these matters.

**5. Arts and Creative Industries**

- (1) To exercise the Council's functions regarding arts, entertainments and creative industries.
- (2) To make arrangements for the sale or issue of tickets for concerts, plays and similar events. (3) To manage the relationship with the Dome Operating Company and the Brighton Festival Trust.

**6. Management of Establishments**

To manage the following establishments/sites:-

- (a) The Royal Pavilion**
- (b) all libraries, museums art galleries belonging to the Council;
- (c) The Grange, Rottingdean;
- (d) Preston Manor;
- (e) West Blatchington Windmill and Foredown Countryside Centre;





**NOTICE OF MOTION****CONSERVATIVE GROUP AMENDMENT****SUPPORT FREE SCHOOL MEALS  
FOR ALL CHILDREN IN POVERTY**

*To delete the wording as struck through in paragraphs 2, 3, 4 and 5 and bullet points 1 and 2 and to insert the wording as shown in bold italics in paragraphs 2, 3, 4 and 5 and bullet points 1 and 2 and include a further bullet point 3..*

“For many pupils, the free school meal is the only hot meal they will eat all day. Without a proper breakfast, a hot lunch at school aids pupil concentration, boosts energy levels and increases ability to learn.

***In England*** Nationally fewer than half of children in low income households receive a free school meal. ***700,000*** ~~4.2 million~~ children classified as living in poverty are not eligible for one, ***whilst 500,000 are entitled to a free school meal but do not claim one.***

~~Over~~ ***Around*** six thousand children in poverty in Brighton and Hove are missing out on a free school meal, ***many of whom are eligible but do not claim it;*** 1,400 in Brighton Pavilion Constituency, 1,600 in Hove and Portslade and 3,100 in Brighton Kemptown.

***This Council notes that*** under the rules as they stand, any household working more than 16 hours per week loses all entitlement to free school meals ***as the previous Government intended Working Tax Credit to substitute this entitlement. The Coalition Government in its response to the Passported Benefits Review stated that it is sympathetic to the arguments for extending eligibility to free school meals, but to extend eligibility to all recipients of Universal Credit will treble the cost.*** ~~and the Government has indicated that a similar situation to will exist after the introduction of Universal Credit.~~

As well as the obvious nutritional and educational benefits, free school meals are an important household budget consideration for low income families, especially at a time of high food and fuel costs and changes to welfare. Facing the loss of these meals, ***due to the eligibility rules brought in by the previous Government, has created*** ~~creates~~ further barriers for families seeking to move into work or take on more hours. The current situation runs counter to the government’s stated intention of Universal Credit making work pay.

Therefore this council:

- **Notes** ~~Pledges its support for the Children’s Society Campaign: ‘Fair and Square’ that calls on the government to ensure that all children in families receiving Universal Credit are eligible for free school meals.~~
- Requests that the Chief Executive writes to the Work and Pensions Minister calling on him to ~~make free school meals available to the children of families in receipt of Universal Credit as plans for its introduction are finalized~~ **respond constructively to the ‘Fair and Square’ Campaign, to make free school meals as widely available as possible, but to ensure a new scheme does not result in the current disincentive for parents and carers to take up work or additional hours as plans for the introduction of Universal Credit are finalised** and as part of the government’s expected review of free school meals.
- **Requests that officers continue their work with schools and parents/carers to maximise the take up of free school meals by those who are eligible.**

Proposed by: Cllr Wealls

Seconded by: Cllr Brown

Supported by: Cllrs G. Theobald, Peltzer Dunn, Cobb, A Norman, Janio, Cox, K. Norman, Simson, Mears, Hyde, Smith, C. Theobald, Barnett, Wells, Pidgeon and Bennett.