

**BRIGHTON & HOVE CITY  
ANNUAL  
COUNCIL MEETING**



**4.30PM 12 MAY 2016**

**COUNCIL CHAMBER, BRIGHTON TOWN HALL**

**AGENDA**

# Council Meeting

Title:	<b>Annual Council</b>
Date:	<b>12 May 2016</b>
Time:	<b>4.30pm</b>
Venue	<b>Council Chamber, Brighton Town Hall</b>
Members:	<b>All Councillors</b> You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Father John Wall
Contact:	<b>Mark Wall</b> Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	<p><b>Public Involvement</b></p> <p>The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.</p> <p>Please note that the Public Gallery is situated on the second floor of the Town Hall. We have made a number of adjustments to make the venue as accessible as reasonably possible.</p> <p>If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting to discuss your access requirements. We can then work with you to enable your attendance and also to ensure your safe evacuation from the building, in the event of an emergency.</p>
	The Town Hall has facilities for disabled people including a lift and wheelchair accessible WCs. In the event of an emergency evacuation there is a special lift which can be used as part of a managed evacuation to assist disabled people. Please refer to the Access Notice in the agenda below.
	An infra-red hearing enhancement system is available within the council chamber to assist hard of hearing people. Headsets and neck loops are provided. If you require any further information or assistance, please contact the receptionist on arrival.

*This Agenda and all accompanying reports are printed on recycled paper*

## AGENDA

### 1 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

### 2 (A) MAYORAL REPORT 2015-16

1 - 4

Report of the Chief Executive (copy attached).

Contact                      Martin Warren

Tel: 01273 291225

Officer:

Ward                         All Wards

Affected:

### 2 (B) MAYOR'S THANKS & PRESENTATIONS

The Mayor will give thanks and make some presentations.

### 3 ELECTION OF THE MAYOR OF BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2016/17

The Mayor will seek nominations for the appointment of the new Mayor for 2016/17.

### ADJOURNMENT

A short adjournment will take place to allow for the robing of the new Mayor.

### 4 VOTE OF THANKS TO THE RETIRING MAYOR

The Mayor will call on Councillor Geoffrey Theobald to move a vote of thanks to the retiring Mayor.

**5 APPOINTMENT OF THE DEPUTY MAYOR OF BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2016/17**

The Mayor will move the appointment of the Deputy Mayor for 2016/17.

**6 MAYOR'S COMMUNICATIONS.**

To receive communications from the Mayor.

**7 APPOINTMENT OF THE LEADER OF THE COUNCIL 2016/17**

The Mayor will seek nominations for the Leader of the Council for 2016/17.

**8 REVIEW OF THE CONSTITUTION - MAY 2016**

**5 - 52**

Extract from the proceedings of the Special Policy & Resources Committee meeting held on the 28<sup>th</sup> April 2016, together with a report of the Head of Legal & Democratic Services and Monitoring Officer (copies attached).

*Contact Officer: Abraham Ghebre-Ghiorghis Tel: 01273 291500*  
*Ward Affected: All Wards*

**9 APPOINTMENTS 2016/17**

- (a) To approve the appointment of the Deputy Leader of the Council:  
*Councillor Mitchell*
- (b) To appoint the Leader of the Official Opposition:  
*Councillor Geoffrey Theobald.*
- (c) To note the appointments to the following positions as agreed by the respective Groups represented on the Council:
  - (i) Leader of the Labour & Co-operative Group:  
*Councillor Warren Morgan*
  - (ii) Deputy Leaders of the Labour & Co-operative Group  
*Councillor Mitchell*  
*Councillor Hamilton (Finance)*
  - (iii) Leader of the Conservative Group:  
*Councillor Geoffrey Theobald*
  - (iv) Deputy Leaders of the Conservative Group  
*Councillor Simson*  
*Councillor Wealls*
  - (v) Convenor of the Green Group:  
*Councillor*
  - (vi) Deputy Convenors of the Green Group:  
*Councillor*

**10 REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF COMMITTEES, SUB-COMMITTEES, JOINT COMMITTEES, BOARDS, PANELS & OUTSIDE BODIES 2016/17.**

**53 - 60**

Report of the Chief Executive (copy attached).

Contact Officer: Mark Wall, Tel: 01273 291006  
Abraham Ghebre-Ghiorghis Tel: 01273 291500  
Ward Affected: All Wards

**11 CLOSE OF MEETING**

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

*Note:*

1. *The Mayor will put the motion to the vote and if it is carried will then:-*

- (a) Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*
- (b) Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

*The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.*

- (c) Following completion of the outstanding items, the Mayor will then close the meeting.*

2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*

3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

*Once all the remaining items have been dealt with the Mayor will close the meeting.*

### **PUBLIC INVOLVEMENT**

Provision is made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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### **WEBCASTING NOTICE**

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Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email [mark.wall@brighton-hove.gov.uk](mailto:mark.wall@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk).

### **ACCESS NOTICE**

The public gallery to the council chamber – which is on the second floor – is limited in size but does have 3 spaces designated for wheelchair users. There is a lift to the second floor and an automatic door and ramped access to the public gallery. There is a wheelchair accessible WC close by. The seated spaces available in the gallery can be used by disabled people who are not wheelchair users, but able to use bench style seating.

The Town Hall has a specially designed lift that can be used in the event of an emergency evacuation. The size of the refuge areas (in the fire protected areas where people unable to use the stairs will wait to be assisted from the building via the lift), will accommodate 2 wheelchair users and several standing users.

If the public gallery is full, Committee Room 1 on the ground floor can be used. This is an inclusive space with video conferencing facilities and AV links to the council chamber, automatic doors, level access, its own step-free fire escape, and nearby WC facilities including wheelchair accessible provision. From this room you can watch the meeting and take part in proceedings, for example if you have submitted a public question.

Please inform staff on Reception if you have any access requirements so that they can either direct you to the public gallery, or to the video-conferencing room as appropriate.

**We apologise for any inconvenience caused**

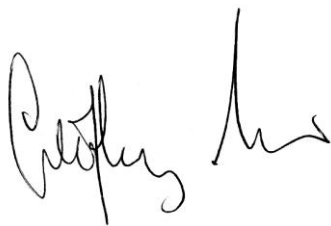
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- **Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and**

**Do not re-enter the building until told that it is safe to do so.**

Date of Publication - Wednesday, 4 May 2016



Chief Executive  
King's House  
Grand Avenue  
Hove  
BN3 2LS





## Annual Council

12<sup>th</sup> May 2016

## Agenda Item 2(A)

Brighton & Hove City Council

<b>Subject:</b>	<b>Mayoral Report 2015-16</b>		
<b>Date of Meeting:</b>	<b>12<sup>th</sup> May 2016</b>		
<b>Report of:</b>	<b>Chief Executive</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Martin Warren</b>	<b>Tel: 01273 291225</b>
	<b>Email:</b>	<b><a href="mailto:martin.warren@brighton-hove.gov.uk">martin.warren@brighton-hove.gov.uk</a></b>	
<b>Ward(s) affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report informs Council of the activities of the Mayor, Councillor Lynda Hyde during the civic year 2015-16

#### 2. RECOMMENDATIONS:

- 2.1 That the report be noted.

#### 3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Mayor is the first citizen of Brighton & Hove and carries out a range of civic and ceremonial duties, representing the council at hundreds of events across the city and around the region.
- 3.2 Many organisations contact the Mayor's office to request mayoral presence at their events. The Mayor's presence helps raise profile, generates publicity and increases opportunities for fund raising.
- 3.3 In addition, during their year of office the Mayor supports local charities; raising funds and boosting profile.
- 3.4 The Mayor of Brighton & Hove is not directly elected, holds no direct power and is politically neutral during their term of office. The role is purely civic and ceremonial.
- 3.5 The Mayor undertakes many different duties including:
- Chairing meetings of Full Council, including the council's budget setting meeting
  - Supporting the main aims of the council
  - Representing the council at public, civic and ceremonial events both in and outside of the city
  - Acting as an ambassador for the city and working with a wide range of local organisations

- 3.6 This year has seen a number of changes and innovations in relation to the Mayor and Mayoralty. Constitutional changes introduced last year reversed the previously operated Mayor/Deputy term and consequently this has allowed the current Deputy Mayor a year in which to acclimatise to the role. The reversal has also had the unintended and unique consequence that Cllr Lynda Hyde is the only Mayor of Brighton & Hove not to have been afforded Deputy duties.
- 3.7 As of January 2016 the Mayor's Office gained responsibility for the work of the Lord Lieutenant of East Sussex. This prompted a name change from 'Mayor's Office' to 'Civic Office' and a similar amendment of title for the formally named 'Mayor's Office Manager'; now referred to as the 'Head of Civic Office and Assistant Clerk to the Lord Lieutenant of East Sussex'.
- 3.8 Martin Warren was formally appointed 'Head of Civic Office and Assistant Clerk to the Lord Lieutenant of East Sussex' in January 2016. Support to the Lieutenancy is delivered by job-sharing arrangement between Victoria Golding and Micheala Isaacs.
- 3.9 During her Mayoral year (2014-15) the Mayor carried out in excess of five hundred and sixty engagements of which approximately;
- 40 were events or receptions in the Mayors Parlour
  - 65 involved Faith or Faith Communities
  - 45 involved sport or sporting activities
  - 95 were traditional or heritage events
  - 60 were meetings
  - 65 involved the Arts or creative communities
  - 70 were charity or fundraising events
  - 55 involved aspects of health, age or well-being
  - 70 involved young people
- 3.10 The Mayor was particularly pleased to have been able to attend
- Remembrance Day Commemorations
  - Citizenship Ceremonies
  - Pride
  - The Royal Visit of Prince Andrew to Whitehawk Academy & visiting other schools
  - The Brighton Marathon
  - Installation of Bishop Richard Moth as Bishop of Arundel & Brighton at Arundel Cathedral
  - University Graduation Ceremonies
  - Events to raise funds for the Mayors chosen charities
  - Supporting animal welfare organisations
  - The Children's Parade
  - A number of 100th birthdays, several 101<sup>st</sup> Birthdays and one 105<sup>th</sup> birthday

- 3.11 The Mayors Parlour has been used on many occasions throughout the year, including;
- Civic Receptions
  - All Meetings of the Mayors Charity Committee
  - All meetings of the Brighton Fund
  - Meetings of the Trustees of Gorham's Gift
  - Meetings of the Police Cells Museum Committee
- 3.12 The Mayor wishes to thank the Youth and Deputy Youth Mayors; Wednesday Croft & James Holmes for their support; she was particularly touched by their support for Remembrance Day.
- 3.13 The Mayors chosen charities this year have been; 'The Martlets', The Argus Appeal' and 'The Grace Eyre Foundation'. The Mayor wishes to thank the Charity Committee and in particular Antonia Shepherd (Chair) for their support. Funds raised for charity look set to exceed £60K.
- 3.14 The Mayor wishes to thank Father John Wall for his work as Chaplain and; (as he prepares to move away from the city), acknowledge his support to Former Mayors and to the city as a whole.
- 3.15 The Mayor wishes to thank Councillor Pete West (Deputy Mayor) for deputising at many events; and Former Mayors and colleagues for their support and flexibility.
- 3.16 The Mayor would like to extend particular thanks to her Consorts; Mr. Allan Jones, Mr Max Peters (aged 13, the Mayors Grandson), Mrs Sandra Williams and Mrs Alison Peters who have offered their support with grace, goodwill and humour. She also wishes to thank friends, family and fellow councillors for their support.
- 3.17 The Mayor is grateful for the support of officers and particularly wishes to thank Robbie Robertson, Darren Patching, Kieran Madden and Paul Grundy for their chauffeuring skill; Vicky Golding and Micheala Isaacs for their support and Martin Warren for his management of the Civic Office.
- 3.18 The Civic Office wish to record their appreciation and thanks to colleagues who have changed roles or departed during the last year; Paula Murray, Richard Butcher-Tuset, Siobhan Williams, Jennie Howard, Matt Wragg and Belinda Cousins.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Not required

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Not required

## **6. CONCLUSION**

6.1 Not required

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

7.1 There are none arising from this report.

### Legal Implications:

7.2 There are none arising from this report.

### Equalities Implications:

7.3 There are none arising from this report.

### Sustainability Implications:

7.4 There are none arising from this report.

### Any Other Significant Implications:

7.5 There are none arising from this report.

## **SUPPORTING DOCUMENTATION**

7.6 There are no supporting documents

<b>Annual Council</b>	<b>Agenda Item 8</b>
12 May 2016	Brighton & Hove City Council

<b>Subject:</b>	<b>Extract from the proceedings of the Special Policy &amp; Resources Committee meeting held on the 28 April 2016 – Review of the Council’s Constitution 2016</b>		
<b>Date of Meeting:</b>	<b>12 May 2016</b>		
<b>Report of:</b>	<b>Head of Legal &amp; Democratic Services &amp; Monitoring Officer</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Ross Keatley</b>	<b>Tel: 29-1064</b>
	<b>E-mail:</b>	<a href="mailto:ross.keatley@brighton-hove.gov.uk">ross.keatley@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

## FOR GENERAL RELEASE

<b><i>Action Required of Council:</i></b>
To receive the report referred from the Policy & Resources Committee for decision.
<b>Recommendations:</b>
<p>(1) That the following proposed changes to the Council's constitution as set out in paragraph 4 and Appendix 1 be agreed:</p> <ul style="list-style-type: none"> <li>• (the discontinuance of the Overview &amp; Scrutiny Committee and the establishment of a Health Overview and Scrutiny Committee, including the changes agreed by the Policy &amp; Resources Committee);</li> <li>• paragraph 7 and Appendix 3 (review of Contract Standing Orders);</li> <li>• paragraph 8 and Appendix 4 (review of the Council Procedure Rules);</li> <li>• the renaming of the Policy &amp; Resources Committee as the Policy, Resources and Growth Committee and</li> <li>• the establishment of Lead Member role for Planning Strategy as set out in paragraph 9 of the report.</li> </ul> <p>(2) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy &amp; Resources Committee and Council and that the Monitoring Officer be authorised to amend and re-publish the Council’s constitutional documents to incorporate the changes.</p>

**BRIGHTON & HOVE CITY COUNCIL**  
**SPECIAL POLICY & RESOURCES COMMITTEE**

**4.00pm 28 APRIL 2016**

**FRIENDS MEETING HOUSE,  
SHIP STREET, BRIGHTON**

**MINUTES**

**Present:** Councillors Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bewick, Janio, Mitchell, A Norman, Sykes and Wealls

**PART ONE**

**167 REVIEW OF THE COUNCIL'S CONSTITUTION 2016**

- 167.1 The Committee considered a report of the Head of Legal & Democratic Services in relation to the Review of the Council's Constitution 2016. The report proposed changes to the Council's Constitution for approval by the Committee and Council.
- 167.2 The Chair made reference to the creation of a Strategic Delivery Board and noted that a number of very significant major projects were now entering advanced stages and there was recognition that they could no longer be considered in isolation to ensure the work around issues such transport was strategic and joined up. The Chair also noted that the name of the Committee would be changed to include 'growth' in recognition of the importance of the area.
- 167.3 Councillor G. Theobald proposed an amendment to the Terms of Reference of the new Health Overview & Scrutiny Committee to ensure scrutiny of adult social care also formed part of the remit of that Committee. The Chair noted that the Labour & Co-Operative would be supporting the amendment.
- 167.4 Councillor Wealls formally seconded the amendment.
- 167.5 In response to Councillor Bewick the Head of Legal & Democratic Services confirmed the changes proposed to contract standing orders reduced the financial procurement threshold to reflect current legislation.
- 167.6 In response to Councillor Sykes it was clarified that the newly created Lead Member for Planning Strategy would also be the Deputy Chair of the Economic Development &

Culture Committee and therefore no additional special responsibility allowances would be created.

167.7 In response to further queries from Councillor Sykes it was explained that work was being undertaken to consider greater Member oversight of the work around the Prevent agenda, and any Members that required further information could be briefed.

167.8 In response to Councillor Mac Cafferty it was confirmed that were the authority to change its governance model to an executive system there would be a legal duty to have a full scrutiny system. The current arrangements reflected the committee system governance model and the no overall control status of the authority.

167.9 Councillor Yates was invited to address the Committee at the Chair's discretion and noted that he supported the amendment from the Conservative Group which would make the relationship between the Health & Wellbeing Board and the Health Overview & Scrutiny Committee much clearer.

167.10 In response to Councillor Janio it was confirmed that allocation of seats would not be affected by the creation of a Strategic Delivery Board as this body would not have the status of Committee or Sub-Committee.

167.11 The Chair put the Conservative Group amendment to the vote. This was **carried**.

167.12 The Chair then put the amended recommendations to the vote.

**167.13 RESOLVED:**

- 1) That the Committee approves the proposals set out at paragraph 5 and Appendix 2 (the establishment of a Strategic Delivery Board) and paragraph 6 (the continued operation of the Member Procurement Advisory Board).
- 2) That the Committee agree that the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- 3) That the Committee agree that the changes come into force immediately following approval by Policy & Resources Committee and, for matters requiring Council approval, following approval by Council.

**167.14 RESOLVED TO RECOMMEND:**

- 1) That Council agree the proposed changes to the Council's constitution as set out in paragraph 4 and Appendix 1 (the discontinuance of the Overview & Scrutiny Committee and the establishment of a Health Overview and Scrutiny Committee, including the changes agreed by the Policy & Resources Committee); paragraph 7

and Appendix 3 (review of Contract Standing Orders); paragraph 8 and Appendix 4 (review of the Council Procedure Rules); the renaming of the Policy & Resources Committee as the Policy, Resources and Growth Committee and the establishment of Lead Member role for Planning Strategy as set out in paragraph 9 of the report.

- 2) That the Council agree that the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.



<b>Subject:</b>	<b>Review of the Council’s Constitution – May 2016</b>		
<b>Date of Meeting:</b>	<b>12 May 2016</b> 28 April 2016 – Policy & Resources Committee		
<b>Report of:</b>	<b>Head of Legal &amp; Democratic Services and Monitoring Officer</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Abraham Ghebre-Ghiorghis</b>	<b>Tel: 01273 291515</b>
	<b>Email:</b>	<b>abraham.ghebre-ghiorghis@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report proposes changes to the Council's Constitution for approval by P&R and Council. Most of the issues set out in the report have been considered by the cross party Constitution Working Group and Leaders Group. They include proposed changes relating to overview & scrutiny, the establishment of a Strategic Delivery Board, some changes to Council Procedure Rules and Contract Standing Orders as well as the designation of a Lead Member for Planning Strategy. Some of the changes are for approval by Policy & Resources Committee while others require full Council approval.

**2. RECOMMENDATIONS:****Policy and Resources Committee**

- 2.1 That the Policy and Resources Committee **approves** the proposals set out at paragraph 5 and Appendix 2 (the establishment of a Strategic Investment Board) and paragraph 6 (the continued operation of the Member Procurement Advisory Board).
- 2.2 That the Policy and Resources Committee **recommends to full Council** the proposed changes to the Council's constitution as set out in paragraph 4 and Appendix 1 (the discontinuance of the Overview & Scrutiny Committee and the establishment of a Health Overview and Scrutiny Committee); paragraph 7 and Appendix 3 (review of Contract Standing Orders); paragraph 8 and Appendix 4 (review of the Council Procedure Rules); the renaming of the Policy & Resources Committee as the Policy, Resources and Growth Committee and the establishment of Lead Member roles for Planning Strategy as set out in paragraph 9 of the report.

## **Full Council**

- 2.3 That the proposed changes to the Council's constitution recommended in paragraph 2.2 above be approved and adopted;

### **Both Policy and Resources Committee and Full Council agree:**

- 2.4 That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- 2.5 That the changes come into force immediately following approval by Policy & Resources Committee and, for matters requiring Council approval, following approval by Council.

## **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 When Brighton & Hove City Council adopted its new constitution in May 2012, it was recognised that the arrangements would need to be kept under review to ensure that they remain relevant, reflect the appropriate design principles and that they are kept up-to-date. Since the introduction of the committee system, the Council has been taking a number of measures to ensure the arrangements remain effective while, at the same time, ensuring that they are as streamlined as possible and avoid duplication.
- 3.2 In the last couple of years, the Council has revised and enhanced the role of the Health & Wellbeing Board to provide city-wide system leadership on health, social care and general wellbeing. We have seen the merger of the Transport and Environment & Sustainability Committees and the merger of the Adult Social Care Committee with Health & Wellbeing. We reviewed and enhanced the role of the Housing Tenant Area Panels and discontinued the Housing Management Sub-committee. All these measures were designed to ensure the system remains as streamlined and efficient as possible, whilst retaining high level of openness and transparency. Brighton & Hove City Council still has one of the highest levels of public participation in terms of public questions, deputations and petition.
- 3.3 The Cross-Party Member Working Group on the Constitution, consisting of Councillors Barradell, Simson and Littman meets periodically to review proposals for change. The proposals set out below were discussed at a meeting of the Working Group and/or the Leaders Group meeting.

## **4. CHANGES TO OVERVIEW & SCRUTINY**

- 4.1 The current constitutional arrangements reflect the design principles agreed when we moved to a committee system. As stated above, the Council's decision-making arrangements were made as open and transparent as possible. This has ensured a high level of robust cross-party scrutiny and challenge within the policy committees themselves. As part of the ongoing budget savings, significant resources were taken out of the officer arrangements to support scrutiny, which

is now left with 1.6 FTE. Taken these into account, there is a need to ensure that there is no duplication and the system remains as streamlined as possible.

There are statutory requirements in relation to health scrutiny and also in relation to flood defence and crime and disorder. Outside of these core areas, section 9JA of the Local Government Act 2000 gives local authorities running a committee system the power, but not the duty, to have an Overview & Scrutiny Committee. In other words, the Council has the flexibility as to whether it operates a more general scrutiny arrangement and if it does, then how it does so. This is because the scrutiny function was designed as a check and balance to the cabinet system, where a small number of councillors, potentially from a single Party, carry all of the executive decision making powers of the Council. In a committee system, political proportionality rules apply and the majority of councillors are involved directly in decision making. In-depth scrutiny and challenge takes place in committees at the point of decision making.

- 4.2 In practice, since the existing system for Overview and Scrutiny was introduced, only one new policy review has been commissioned. Taking paragraph 4.1 above into account, it is proposed that the current overview and scrutiny procedures are reviewed and arrangements streamlined.

It is proposed that the current Overview and Scrutiny Committee be discontinued and instead be replaced with the following arrangements:-

- a) A Health Overview and Scrutiny Committee will be established in order to meet the statutory requirements of the National Health Service Act 2006 (amended by the Health and Social Care Act 2012). The Health Overview and Scrutiny Committee will have the ability to scrutinise matters relating to the health **and social care** of the Council's population **including both adults and children** and to make reports and recommendations to the NHS, the Council, its Committees and other relevant bodies. It will also provide the mechanism through which the Council responds to NHS consultations and any referrals from Healthwatch. Its remit will extend to the scrutiny of issues relating to social services delivered by the Council in partnership with health organisations as well as the responsibilities it carries out in relation to Public Health. Draft terms of reference for the new Committee are appended here, as Appendix 1.

Members will be mindful of the risk of overlap between the functions exercised by the Health and Wellbeing Board and the Health Overview and Scrutiny Committee. To reduce this risk, a Memorandum of Understanding will be prepared to be agreed between the two bodies in order to clarify the responsibilities which each exercises. In addition, it is proposed that the membership of the two bodies will not overlap so as to reduce the risk of conflicts arising.

- b) The Council will continue to meet its responsibilities in relation to flood and erosion risk scrutiny under the Localism Act 2011 by delegating those functions to the Environment and Transport Committee. In practice there have been very few issues of this type coming to the current Overview and Scrutiny Committee. The Environment and Transport Committee will be

able to commission a Panel of non-Environment and Transport members as and when necessary.

- c) It is proposed that the scrutiny of crime and disorder be delegated to the Neighbourhoods, Communities and Equalities Committee, which already has community safety within its existing remit.
- d) Currently the terms of reference and procedures for policy panels are included in the Overview and Scrutiny Committee's procedures, which envisage that policy panels will be commissioned by the relevant service committee and supported by the relevant Directorate with some support from the Scrutiny function. In practice however there has been only one such panel convened since the system was introduced. It is therefore proposed that the facility to commission policy panels be given to all service committees via specific provision in the general delegations. General guidance and practice notes will be available to support this as well as limited consultancy type support from the Scrutiny function.

4.3 The above arrangements will mean a reduction in the officer support needed for overview and scrutiny in the context of a significant reduction in the resources available to support that function. Importantly, it will enable the statutory scrutiny elements to continue to be delivered. The non-statutory policy review elements will be delivered under a new framework which directs this work through the service committees which have relevant expertise.

4.4 A copy of the draft amended terms of reference for the Health Overview and Scrutiny Committee is attached at Appendix 1. Delegated authority is sought to permit the Monitoring Officer to add to the general delegations of all committees the power to appoint a Policy Panel to carry out discrete pieces of policy review or development work.

## **5. ESTABLISHMENT OF A STRATEGIC DELIVERY BOARD**

5.1 Major Project Boards provide an opportunity for the Council to benefit from member input and oversight in relation to large scale land development or other significant projects. Currently however those project boards are constituted on an ad hoc basis, without consistency in terms of membership, how they are set up or regulated. It is proposed to streamline this and to ensure maximum clarity and efficiency of by establishing a single Major Projects Strategic Delivery Board to oversee all major projects. The presumption will be that all major projects will come to the Board. The intention would be for the Board to report to the Policy, Resources and Growth Committee or the Economic Development & Culture Committee as appropriate. Proposed draft terms of reference are appended at Appendix 2.

5.2 It is proposed that in exceptional situations where a project-specific Board is considered more appropriate due to workload issues or the complexity of a particular project, then such a Board may be set up by either the Policy, Resources and Growth Committee or the Strategic Delivery Board.

## **6. REVIEW OF THE OPERATION OF THE MEMBER PROCUREMENT ADVISORY BOARD**

- 6.1 In acknowledgement of the high number of procurement exercises being undertaken by the Council to meet the need to review services and to focus on achieving value for money, a Member Procurement Advisory Board was set up in April 2015. This created a process whereby a group of Members trained in the law, finance and practical procurement issues in this complex area were available to ensure that procurement matters receive focused review and that the Council was able to achieve the maximum benefit from procurement opportunities as they arise.
- 6.2 That Board, Chaired by Cllr Meadows, has been operating as an Advisory Board to provide advice to and report to the Policy & Resources Committee in accordance with its terms of reference. In accordance with the direction of Policy and Resources Committee given in April 2015, the function has been reviewed by considering the items of business that went to the Board over the last municipal year and in discussions with the Chair of the Board. It is considered to be operating effectively. As it provides useful input to this function, it is proposed that the outcome of that review be noted and that the Procurement Advisory Board be retained in its current form.

## **7. REVIEW OF CONTRACT STANDING ORDERS**

- 7.1 A number of changes to the Contract Standing Orders are considered necessary to update them in accordance with relevant legislation and to ensure greater clarity.

The amendments proposed at Appendix 3 include the following:

- Updates to the EU procurement thresholds to ensure that the CSOs reflect current legislation
- Clarification of the 'light touch' regime which applies to certain types of service including social care, health and cultural services
- Specific reference to the practice of using electronic signatures to convey acceptance.

## **8. CHANGES TO THE COUNCIL PROCEDURE RULES**

- 8.1 A number of amendments are proposed to the existing Council Procedures Rules in order to bring them into line with legislative requirements and current practice.
- 8.2 Extracts of those sections which it is sought to amend are appended hereto as Appendix 5 and include the following:
- (a) Additional detail regarding the requirement that authorities facilitate the recording of meetings in certain prescribed situations. While prescribed by legislation, the right to record or webcast by any device is limited to those meetings which are not exempt or confidential and does not apply to Licensing Act 2003 Panels.

- (b) Concurrent powers to the Chief Executive as well as the Mayor and Chairs of Committees to reject questions, petitions or deputations in accordance with certain prescribed criteria. Should either exercise that power then the relevant question etc will not be heard.
- (c) The Mayor be given the discretion to accept or reject late amendments to motions at Council which are submitted after 10am on the day of the meeting, this depending on his/her view of the complexity of the amendment and the degree of notice given.
- (d) Specific reference to be incorporated into the CPRs to allow for the practice of officers suggesting revisions to officer recommendations, with the presumption being that any such revisions will be considered unless any member present objects.
- (e) To allow a number of amendments to be moved and debated together but voted on separately. Current standing orders do not allow amendments to be moved before those already moved have been disposed of. The proposed changes reflect what happens in practice and has become part of the custom and practice of council meetings.

## **9. RENAMING OF POLICY & RESOURCES COMMITTEE AND ESTABLISHMENT OF LEAD MEMBER ROLE FOR PLANNING STRATEGY**

- 9.1 With the devolution agenda and the financial challenges facing local authorities, the role of local authorities is evolving with growth and economic wellbeing increasingly become a more important role. This will be reflected in the volume and complexity of reports coming to the committee on these issues over the next months and years. To reflect this, it is proposed that the name of the committee be amended to add "Growth" at the end so that it will be the "Policy, Resources and Growth Committee."
- 9.2 The report of the Planning Peer Review is likely to recommend rationalizing and streamlining the arrangements for developing planning policy. There is a need for a co-ordination and focused political leadership regarding planning policy and strategy. It is therefore proposed that a Lead Member Role be established for Planning Strategy and that the arrangements at committee level be reviewed once the full report of the peer review is received.

## **10. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 10.1 The Council could decide not to implement some or all of the changes set out in the report.

## **11 COMMUNITY ENGAGEMENT AND CONSULTATION**

- 11.1 The Cross Party Constitutional Working Group have been consulted and Leaders group considered the proposals set out in the report. Some issues came up after the meeting of the Constitutional Working Group, but they were all considered by Leaders Group. Where proposals will impact on staff, this will be undertaken in accordance with the Council's Change Management Procedure but it is not anticipated that the proposals will have any significant impact on staff.

## **12 CONCLUSION**

- 12.1 The proposals reflect the Council's ongoing efforts to review and streamline its processes in an ongoing way so as to achieve both financial savings and increased efficiency. It is therefore recommended that they are pursued.

## **13 FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 13.1 The proposals will lead to lead to a modest reduction in costs for the Council. These have already been factored into Council's revenue budget requirement as part of the 4 year planning process.

*Finance Officer Consulted: Peter Francis Date: 18<sup>th</sup> April 2016*

### Legal Implications:

- 13.2 The proposals in relation to Overview and Scrutiny are consistent with the legal requirements for scrutiny arrangements in a committee system, in particular the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

*Lawyer Consulted: Elizabeth Culbert Date: 18<sup>th</sup> April 2016*

### Equalities Implications:

- 13.3 There are no direct equalities implications arising from this report. However, as the options work continues, any arising needs will be identified and met. In particular, modernisation work which involves an increased use of technology will need to include in its development the consideration and mitigation of any equalities impact.

### Sustainability Implications:

- 13.4 None identified

### Any Other Significant Implications:

- 13.5 None identified

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

- Appendix 1: Overview & Scrutiny Committee
- Appendix 2: Terms of reference of Strategic Delivery Board
- Appendix 3: Contract Standing Orders
- Appendix 4: Council Procedure Rules





## Appendix 1

### HEALTH OVERVIEW AND SCRUTINY COMMITTEE - TERMS OF REFERENCE

**Explanatory note: This Committee has responsibility for delivering the Council's functions in relation to health scrutiny in accordance with powers conferred on the authority by the National Health Service Act 2006 as amended.**

#### **1. Delegated functions:**

To discharge the functions of the Council relating to the scrutiny of health services by exercising its powers pursuant to the National Health Service Act 2006, as amended by the Health and Social Care Act 2012, and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 ('the Regulations').

To scrutinise the planning, provision and operation of the health service **and social care** in the Authority's area, including **both adults and children, as well as** those functions exercised by the authority as a health service provider, as set out in the National Health Service Act 2006, as amended, and the Regulations.

The functions of the Committee include but are not limited to:

- Responding to consultations and making comment on proposals including for a substantial development or variation in the provision of the health service in the Authority's area;
- Making reports and recommendations to the National Health Service and other health service providers, the Council, the committees and sub-committees, and to other relevant bodies and individuals;
- Requesting that healthcare providers attend to answer questions or provide information in accordance with prescribed process
- Reviewing and scrutinising the impact of the Authority's own services and of key partnerships on the health of its population and to contribute to the development of policy and services to improve health and reduce health inequalities;
- Encouraging the Council as a whole to take into account the implications of their policies and activities on health and health inequalities;
- Monitoring and reviewing the outcomes of its recommendations.
- Receiving and responding to referrals from a Local Healthwatch organisation or Local Healthwatch contractor in accordance with the Regulations.

In all of the above, the Council will act having first both invited interested parties to comment and taken into account relevant information, including that provided by stakeholder groups.

## **2. Membership of the Overview and Scrutiny Committee**

Membership of the Health Overview and Scrutiny Committee will reflect the political composition of the Council and be subject to section 15 of the Local Government and Housing Act 1989. No member of the Council's Health and Wellbeing Board may be a member of the Health Overview and Scrutiny Committee. No Councillor may be involved in scrutinising a decision in which s/he has been directly involved.

## **3. Co-optees**

The Health Overview and Scrutiny Committee will include non voting co-opted members from the Older People's Council, the Youth Council and Healthwatch.

## **4. Meetings of the Health Overview and Scrutiny Committee**

The Health Overview and Scrutiny Committee will meet in accordance with a programme of meetings agreed by the Policy, Resources and Growth Committee. In addition, an extraordinary meeting may be called by the Chair or the Chief Executive at any time if they consider it necessary or desirable.

## **5. Quorum**

The quorum for Health Overview and Scrutiny Committee meetings shall be as set out for committees and sub-committees in the Council Procedure Rules in Part 3 of this Constitution.

## **6. Chair of Overview and Scrutiny Committee and Policy Panels**

The Council will appoint the Chair of the Overview and Scrutiny Committee.

## **7. Work programme**

The Health Overview and Scrutiny Committee will be responsible for setting its own work programme.

## **8. Agenda items**

Agenda items shall be set by the Health Overview and Scrutiny Committee identifying issues which they wish to consider.

Any Member of the Council may notify Democratic Services that s/he wishes an item relevant to the functions of the Health Overview and Scrutiny Committee to be included on the agenda for the next available meeting of the Committee.

## **9. Submission of reports from Health Overview and Scrutiny Committee**

Once it has formed recommendations on any matter, the Health Overview and Scrutiny Committee will prepare a formal report and submit it to the relevant NHS body, Council Committee, the Chief Executive of the Council or relevant organisation

for consideration at the relevant decision-making body.**10. Matters excluded from review by the Health Overview and Scrutiny Committee**

The health overview and scrutiny process is not appropriate for issues involving individual complaints or cases, or for which a separate process already exists e.g. personnel/disciplinary matters, ethical matters or allegations of fraud.



## APPENDIX 2

### STRATEGIC ~~DELIVERY~~Delivery ~~INVESTMENT~~ BOARD

#### Terms of Reference

##### 1. Purpose

The Council has been involved and will continue to be involved in major commercial, regeneration and infrastructure projects across the city; projects that are key to the city's future success and prosperity. These projects have to date been overseen by ad hoc project boards with mixed member/officer representation.

The purpose of the ~~Major Projects~~ Strategic ~~Delivery~~Oversight Board ('the Board') is to enable a more co-ordinated approach to the management and delivery of major projects. It will provide the strategic overview of major projects and provide a mechanism for focussed and systematic member input to ensure maximum efficiency and accountability. It will report to the Policy, Resources and Growth Committee, the Economic Development & Culture Committee or other Committees as necessary.

##### 2. Status

The Board shall be an advisory board to the Policy, Resources and Growth Committee and the Economic Development & Culture Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

##### 3. Areas of focus

- To consider the progress of major projects undertaken by the Council and advise the Policy, Resources and Growth Committee, other Committees or officers as appropriate
- To review major projects having regard to capacity to deliver, corporate priorities and resources and advise the Policy, Resources and Growth Committee or other Committee as appropriate
- In exceptional cases, to establish or recommend the establishment of a project-specific Board to oversee a particular major project where this is considered necessary due to capacity, complexity of the issues or other reasons.

##### 4. Definition of Major Projects

For the purposes of the Board, major projects fall into one of two categories.

- (a) Those that involve the council either as the deliverer, a direct procurer or a facilitator of the provision of a major capital asset and / or regeneration of a site or area; or
- (b) Those not directly involving the council as landowner but which are of strategic significance to the city, such as the regeneration of a non council owned site or the provision of major infrastructure works.

## 5. Reporting

The Board will report to the Policy, Resources and Growth Committee, the Economic Development & Culture Committee or other  
— relevant Committee, with recommendations as necessary.

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## 6. Membership

Membership of the Board shall consist of 5 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

No Member may serve on the Board, whether as a substantive or substitute member, unless they have undergone the required training for Board members providing that training may be provided after Members are appointed and before they take their role.

## 7. Meetings and ways of working

The timing and number of meetings will be dictated by the volume of business for the Board.

The Board will agree ways of working appropriate to the role and remit of the Board.

## 8. Review

These terms of reference may be reviewed and amended by the Policy, Resources & Growth Committee from time to time.

## **PART 7.5 CONTRACT STANDING ORDERS**

### **General**

#### **Introduction**

Procurement decisions are among the most important decisions an officer will make because the money involved is public money and the Council is concerned to ensure that high quality goods, works and services are provided. Efficient use of resources in order to achieve best value is therefore an imperative. The Council's reputation is equally important and should be safeguarded from any imputation of dishonesty or corruption.

All staff are expected to comply with the Council's agreed procedures, and this includes Contract Standing Orders.

Failure to comply with Contract Standing Orders when letting contracts is a serious matter, and employees should report any actual or suspected breach of Contract Standing Orders to an appropriate senior manager and the Head of Audit.

#### **Contract Standing Order 1: Interpretation**

1.1 In these Contract Standing Orders, the following terms have the following meanings:

"Approved List"	a list of suitable Contractors drawn up for corporate use under CSO 6
"Budget Holder"	a Council Employee who is accountable for a defined budget, and is responsible for committing expenditure against that budget in accordance with the Council's Financial Standing Orders and Regulations
"Contract Consultant"	any person not being an employee of the Council who is acting for the Council in relation to a Contract or proposed Contract
"Contract"	any agreement: <ul style="list-style-type: none"> <li>(i) for the supply of goods, services, or the execution of works to or for the Council including the use of consultants</li> <li>(ii) any Framework Agreement</li> <li>(iii) where no payment is made by the Council but which is of financial value</li> </ul>

	to the Council (for example a concession agreement) but excluding:
	(i) the use of external solicitors and counsel instructed by the Head of <u>Law Legal and Democratic Services</u>
	(ii) a contract for the purchase or sale of land
	(iii) Grants
	(iv) individual employment contracts
“Contract Finder”	a centralised, Central Government run, online contract notice portal
“Contract Officer”	a Council Employee authorised to deal with Contracts in accordance with CSO 3.1
“Contracts Register”	the Council’s electronic register of Contracts
“Contractor”	the party or potential party to a Contract
“Council”	Brighton & Hove City Council
“Council Employee”	any person employed on a permanent, temporary or agency arrangement by the Council
“CSO”/ “CSOs”	Contract Standing Order/ Contract Standing Orders
“ <del>Executive Director</del> <u>Executive Director</u> ”	<u>Includes all Chief Officers including the Chief Executive, the Assistant Chief Executive, the Monitoring Officer, all <del>Executive Director</del> Executive Directors, as well as the Executive Director</u> <del>Executive Directors</del>
“DPS”	an electronic system used to purchase commonly used goods, works or services within a limited duration
“EU”	European Union
“EU Public Procurement Directives”	EU Directive 2014/24/EU (which consolidates all previous directives relating to public works, supplies (goods) and service contracts) and any Directives and Regulations by which it is applied,



extended, amended, consolidated or replaced and any re-enactment thereof

“EU Thresholds”

EU and Government Procurement Agreement thresholds for advertisement of goods, works and services contracts as advised by the Government (as of 1 January 2016 at £589,148 for services contracts listed in Schedule 3 of the UK Regulations, £164,176 ~~172,514~~ for all other supplies and services contracts; and £4,104,394 ~~322,012~~ for works contracts)

“EU Treaty”

the Treaty on the Functioning of the European Union and the Treaty on the European Union

“Framework Agreement”

An arrangement made in accordance with the UK Regulations between the council (or another Contracting Authority) and a provider or providers of goods, works or services specifying the terms under which contracts can be “called off” or entered into over the period during which it is in force

“Grants”

A grant is an arrangement where money is given for the benefit of all or for a section of the local community for a stated purpose other than for the procurement of services (whether the services are to be given to the Council or to third parties).

“Light Touch Regime”

A specific set of rules for certain service contracts that tend to be of lower interest to cross-border competition. Those service contracts include certain social, health, education and cultural services, defined by Common Procurement Vocabulary (CPV) codes. The list of services to which the Light-Touch Regime applies is set out in Schedule 3 of the Public Contracts Regulations 2015 (Annex A).

“Lots”

One of a number of categories of supplies or services which a single procurement process has been divided into. The use of Lots potentially allows for multiple providers to be appointed following one procurement process

“Most Economically Advantageous Tender”	A tender which has been selected by using weighted price and/or quality criteria. See CSO 9
“OJEU”	Official Journal of the European Union
“Procurement Guidance”	Corporate Procurement’s Codes of Practice (including the Procurement Toolkit), model contracts and other guidance which supplements these CSOs
“Procurement Strategy Manager”	The person appointed by the Council as the Procurement Strategy Manager or any Member of the Corporate Procurement Team authorised by him/her to act on his/her behalf
“Senior Officer”	All Heads of Service and any other officer who is a member of the Corporate Management Team.
“SME”	Small and medium-sized enterprises
“UK Regulations”	Public Contracts Regulations 2015 (SI 102/2015) and all subsequent regulations giving effect to the EU Public Procurement Directives
“works” “supplies” & “services”	as defined in the EU Public Procurement Directives (“supplies” are also referred to as “goods” in these CSOs)

- 1.2 The Chief Executive, after consultation with the Monitoring Officer and the Chief Finance Officer, may change the non-statutory thresholds in Contract Standing Orders annually (or as appropriate) to take account of changes in the retail price index and other factors so that the effectiveness and impact of the thresholds is maintained.

## **Contract Standing Order 2: Compliance with Contract Standing Orders and Legislation**

- 2.1 The Monitoring Officer in consultation with the Procurement Strategy Manager shall compile and maintain CSOs and advise on their implementation and interpretation.
- 2.2 Every Contract made by the Council or on its behalf shall comply with the EU Treaty, the EU Public Procurement Directives and all relevant EU and domestic legislation, CSOs, and the Council’s Financial Regulations. EU and UK legislation will always override the provisions

of these CSOs.

- 2.3 Contractors, Contractors' employees, subcontractors and agents utilised by the Council shall be required to, at all times, comply with the requirements of the Health & Safety at Work etc Act 1974, all secondary legislation made under that Act and all other Acts, Regulations, Orders or Rules relating to Health & Safety. All contracts shall reflect these requirements and reference to the Council's Health & Safety Code of Practice should be made in this regard.
- 2.4 The Corporate Procurement Strategy and Procurement Guidance held and disseminated by the Procurement Strategy Manager, shall supplement these CSOs, but these CSOs will always take precedence over the provisions of such Procurement Guidance.
- 2.5 It shall be a condition of any Contract between the Council and anyone who is not a Council Employee, but who is authorised to carry out any of the Council's contracts functions, that they comply with CSOs, and the Financial Regulations of the Council as if they were Council Employees.

### **Contract Standing Order 3: Scheme of Delegation/Authorisation**

- 3.1 Each ~~Director~~Executive Director has unrestricted delegated power to agree to the Council entering into Contracts or joining existing Framework Agreements up to the sum of £500,000. Above this sum and before inviting expressions of interest from potential bidders, Council Employees must seek approval from the relevant Committee.  
~~All Budget Holders (in relation to expenditure within their allocated budgets), Senior Officers, and Contract Officers authorised by the relevant Director or Senior Officer may agree to the Council entering into Contracts of up to £250,000 in value. Such authorisation may be expressed or implied from the duties attached to the Contract Officer's post.~~
- ~~3.23.1~~  
3.2 Where an ~~an~~ Executive Director is unavailable or otherwise unable to act, his/her functions under these CSOs may be discharged by the relevant Senior Officer.
- ~~3.3~~  
All Budget Holders (in relation to expenditure within their allocated budgets), Senior Officers, and Contract Officers authorised by the relevant ~~Director~~Executive Director or Senior Officer may agree to the Council entering into Contracts of up to £250,000 in value. Such authorisation may be expressed or implied from the duties attached to the ~~Contract~~ Officer's post.
- ~~3.33.4~~

### **Contract Standing Order 4: Declarations of Interest and Prevention of Corruption**

- 4.1 Members of staff must avoid any conflict between their own interests and the interests of the Council. At the beginning of any Contract process the following persons shall declare any interest, as defined in the Code of Conduct for Employees set out in the Council's constitution, which may affect the Contract process:
  - 4.1.1 Council Employees involved in the procurement and management of a Contract
  - 4.1.2 Contractors
  - 4.1.3 Contract Consultants
  - 4.1.4 any other person involved in the Contract process
- 4.2 ~~Director~~Executive Directors and Senior Officers shall ensure that all Council Employees within the categories set out in CSO 4.1 and all Contract Consultants and Contractors appointed by them make written declarations of interest on their appointment and as required on any change in circumstances. Interests of Council Employees will be reviewed annually, either at the end or beginning of the financial year. The relevant ~~Director~~Executive Director or Senior Officer shall either certify interests as acceptable or take any necessary action in respect of potential conflicts of interest.
- 4.3 ~~Director~~Executive Directors and/or Senior Officers shall keep completed Council Employee declarations on the register of staff declarations indicating the names and grades of those declaring an interest and the nature of their interest.
- 4.4 ~~Director~~Executive Directors and/or Senior Officers shall keep completed Contract Consultants' and Contractors' declarations of interest and relevant Council Employees' declarations affecting the Contract on the contract file.
- 4.5 A Council Employee within the categories set out in CSO 4.1 has an interest in a Contract if he/she has or potentially has a pecuniary interest or has links, ( for example, a family member or close friend works for the organisation ), with an organisation or Contractor tendering or quoting for a Contract with the Council or already has a Contract with the Council. If it, and is not the subject of an existing declaration, he/she must immediately give written notice of his/her interest to the relevant ~~Director~~Executive Director or Senior Officer and in any event must take no part in the procurement process.
- 4.6 Council Employee must not invite or accept any gift or reward in respect of the award or performance of any Contract. It will be for the Council Employee to prove that anything received was not received corruptly. High standards of conduct are obligatory and corrupt behaviour will lead to dismissal.
- 4.7 The Contract process shall ensure that the Council will operate strict

separation of duties by ensuring that two authorised Council Employees are involved in the ordering, receiving and payment process.

- 4.8 The following clause, (or an equivalent clause in standard forms of contract or other wording as approved by the Monitoring Officer) must be appear in every written Council Contract:

*“The Council may terminate this Contract and recover all its loss if the Contractor, its employees or anyone acting on the Contractor’s behalf do any of the following things:*

- (a) offer, give or agree to give to anyone any inducement or reward in respect of this or any other Council Contract (even if the Contractor does not know what has been done); or
- (b) commit an offence under the Bribery Act 2010; or
- (c) commit any fraud in connection with this or any other Council Contract whether alone or in conjunction with Council Members or Employees.

*Any clause limiting the Contractor’s liability shall not apply to this provision.”*

- 4.9 A register of interests under CSO 4 may be a separate register or [it may](#) form part of a general register of declarations of interest as the ~~Director~~Executive Director or Senior Officer considers appropriate.

## Contract Standing Order 5: Public Notices

5.1 Where, by virtue of these CSOs or by some other authority, public notices or advertisements are required, they shall be placed in at least one relevant local publication and on the Council website ten days or more before expressions of interest are required by the Council. Where the estimated total value of the Contract exceeds £100,000, the notice or advertisement shall be placed in at least one newspaper or journal circulating among such persons or bodies who undertake such Contracts. The requirement to give notice in a local newspaper may be dispensed with if the relevant ~~Director~~Executive Director or Senior Officer certifies that there are insufficient Contractors in the locality.

5.2 All Contracts whose value exceeds the relevant threshold of the EU Public Procurement Directives and which - if below the threshold - may be of interest to both local suppliers and more widely including suppliers in EU member states (cross border interest) shall be advertised in the -OJEU and on Contracts Finder. Contract Officers are required to keep a record of their consideration of and decision in respect of the potential for cross border interest in a Council Contract.

~~5.3 As outlined in CSO 13, Certain services (including but not only public health, health and social services) may be procured under a "light touch" regime. Where the value of the services is above the relevant threshold (currently £589,148), the procurement must be advertised in accordance with para 5.2 above but may also be used to call for expressions of interest as long as the Council's intention to proceed to award of contract without further advertising is made clear in the Notice. Where the value of the services is below the threshold, it need not be advertised although the requirement to ensure that transparency and equal treatment are achieved still applies.~~

## Approved Lists and Framework Agreements

### Contract Standing Order 6: Approved Lists

6.1 The Head of Property and Design may compile and maintain Approved Lists of Contractors for construction related Contracts, for Contracts below the relevant EU threshold. The Procurement Strategy Manager may compile Approved Lists for Contractors for the supply of goods and other services for Contracts below the relevant EU Threshold as appropriate.

6.2 Where compiled pursuant to CSO 6.1, Approved Lists—

- (a) shall, in the case of internally managed Approved Lists, be established by advertised competition (subject to CSO 6.3).
- (b) shall contain the names and addresses of all Contractors who meet the Approved List criteria.

- (c) shall indicate the nature and value of Contracts for which the Contractors listed may be used. The value may not exceed the relevant EU threshold.
  - (d) where maintained internally by the council shall be reviewed in full at least every three years in addition to a review of the use of external providers from such Approved Lists.
- 6.3 Construction Line and standing lists of providers maintained by other public sector bodies compiled following responses to a public advertisement shall be deemed to be Approved Lists for the purpose of these CSOs.
- 6.4 In addition ~~Director~~Executive Directors with the assistance of the Procurement Strategy Manager may set up Framework Agreements in line with EU Public Procurement Directives with one or more suppliers of particular types of goods or services.
- 6.5 The criteria for admission to and suspension and exclusion from internally managed Approved Lists shall be specified in writing by: -
- (a) the Procurement Strategy Manager, for goods and services and non-construction works
  - (b) the Head of Property and Design, for works and works related services
- 6.6 Any Contractor may, by giving written notice to the Council, withdraw from any internally managed Approved List.
- 6.7 Where there is no Approved List or Framework Agreement, ~~Director~~Executive Directors and Senior Officers shall use an approved quotation or tender procedure in accordance with Procurement Guidance.

## **Contract Standing Order 7: Framework Agreements**

- 7.1 Prior to accessing any Framework Agreement the relevant ~~Director~~Executive Director or Senior Officer must firstly determine that the Framework Agreement is available for legitimate use by the Council in accordance with Regulation 33 of the UK Regulations.
- 7.2 Where two or more Framework Agreements exist which are capable of fulfilling the Council's requirements, the relevant ~~Director~~Executive Director or Senior Officer shall select the one they consider (a) to represent the best value for money and (b) best meets any other relevant criteria; and shall keep a written record of the reasons justifying the selection.
- 7.3 Prior to the procurement of a new, or joining a pre-existing, Framework Agreement, the Procurement Strategy Manager must be satisfied that such an approach represents the most economically advantageous solution for a service, work, or supply provision.

- 7.4 When setting up a Framework Agreement for the Council, the relevant ~~Director~~Executive Director or Senior Manager shall use the most appropriate procurement procedure permitted by the UK Regulations.
- 7.5 When procuring goods or services from an existing Framework Agreement, the relevant ~~Director~~Executive Director or Senior Manager may –
- (i) where there is only one supplier capable of fulfilling the requirement, select that supplier;
  - (ii) where there is more than one supplier capable of fulfilling the requirement listed on the Framework Agreement and the terms and conditions and requirements of the Framework Agreement are sufficiently specific without change as to allow award to any one of the suppliers, select one of the suppliers without the need for further competition subject to demonstrating value for money.
- 7.6 When procuring goods or services from an existing Framework Agreement and there is a need to refine or supplement any of the requirements referred to in 7.5(ii) above, a mini-competition inviting all those persons on the Framework who are capable of providing the goods and services must be held, such mini-competition to be held in accordance with the Framework Agreement provisions and CSOs 9, 10, 11 or 12 as appropriate.
- 7.7 All tenders from potential suppliers on Framework Agreements must be submitted via the e-tendering system unless an exemption from e-tendering has been approved in advance by the Procurement Strategy Manager as for example in the case of incompatibility with the particular Framework Agreement requirements. .
- 7.8 Before establishing a Framework Agreement, the relevant ~~Director~~Executive Director or Senior Manager shall be satisfied that:
- (i) the term of the arrangement shall be for a period of no longer than four years;
  - (ii) the terms and conditions of the Framework Agreement do not compromise the Councils' contractual requirements;
  - (iii) full, open, and proper competition in respect of the creation of the framework has taken place.
  - (iv) consideration is given to making the Framework Agreement available to other public bodies where appropriate.

### **Contract Standing Order 8: Contract Value and Aggregation**

- 8.1 Council Employees shall estimate and record the total value of a proposed Contract net of VAT.
- 8.2 Contracts must not be artificially separated so as to circumvent the application of any CSO or of the EU Public Procurement Directives or UK Regulations.



- 8.3 The total value of a Contract for works, services or supply of goods is estimated to be the same as the total consideration to be payable over the term of the Contract by the Council to the Contractor. Where the Contract period is indefinite or uncertain then the estimated total value is calculated by assuming a four-year term. If the Council has an option to extend the Contract, the value is the value of the Contract including the period of the extension.

## **Requirement to Obtain Tenders**

### **Contract Standing Order 9: Tendering Procedures**

- 9.1 At the outset of each procurement the Contract Officer must:
- (i) assess the business need;
  - (ii) ensure the procurement complies with corporate policies and priorities;
  - (iii) when appropriate undertake a premarket testing exercise;
  - (iv) ensure the necessary authority is in place to undertake the procurement; and
  - (v) ensure that adequate provision is made within the Council's capital or revenue estimates and that proper technical and financial appraisals have been carried out in accordance with the Council's Financial Procedure Rules.
- 9.2 Where procurement of goods, services or works is required and the estimated total value of the Contract is in excess of the relevant EU threshold, EU public procurement procedures shall be followed as set out in the UK Regulations and these shall prevail over the tendering procedures set out in these CSOs.
- 9.3 For most goods, services and works Contracts the restricted, open, or competitive dialogue procedure will be appropriate. Enquiries should be made of the Procurement Strategy Manager or Legal Services if it is proposed to use an innovation partnership or a competitive procedure with dialogue or negotiation.
- 9.4 For Private Finance Initiative, Public Private Partnership and similar procurement arrangements introduced by the Government, where the total Contract value is in excess of the relevant EU threshold, the restricted or competitive dialogue procedure will be used.
- 9.5 The Council may procure goods, services or works to any value in collaboration with other local authorities or other public or voluntary sector bodies. Where the Council is the lead buyer within the consortium, these CSOs shall apply. Where the Council is not the lead buyer, procurement procedures shall follow the CSOs of the lead buyer.
- 9.6 When determining a suitable procurement route, consideration will be given to all tenders with respect to:-

- (i) Separating the Contract into Lots in order to promote SME engagement;
- (ii) ~~engagement~~; Sustainability issues in accordance with the Council's Sustainability Policy and Sustainable Procurement Policy;
- (iii) In the case of service contracts the provisions of the Public Services (Social Value) Act 2012.

9.7 The procedure must be both appropriate and proportionate to the value of the contract. It must ensure that the Council achieves best value which is to be assessed by an evaluation of both the price and quality of bids received so as to determine the Most Economically Advantageous Tender over the life of the contract. Price shall be the sole criterion only where the ~~Director~~Executive Director, Senior Officer or the Council Employee preparing the Contract for him/her considers this to be appropriate.

9.8 Evaluation criteria and weightings for each procurement shall be determined in advance and included in the invitation to tender. Determination of criteria at all stages shall be undertaken in accordance with Procurement Guidance.

#### **Contract Standing Order 10: Contracts Not Exceeding £25,000**

10.1 Where the appropriate ~~Director~~Executive Director or Senior Officer estimates the total Contract value for goods, services or works is unlikely to exceed £25,000 (in the case of Consultants is unlikely to exceed £10,000) and there is a suitable Framework Agreement available, that Framework Agreement shall be used. Where no Framework Agreement is available competitive quotations in writing shall be requested or a commercial negotiation with one preferred Contractor may take place. In the latter case the ~~Director~~Executive Director or Senior Officer shall certify that Procurement Guidance has been followed and that the Council shall receive value for money.

10.2 Contracts with an estimated total value not exceeding £25,000 shall be evidenced in writing in simple cases by way of letter or the issue of an order. In the case of consultants (whatever the value) and in all other cases formal written Contracts shall be completed.

10.3 Although the competitive process for ensuring Contracts not exceeding a total value of £25,000 is less formal than for Contracts of greater amounts, Officers should at all times bear in mind the need to seek value for money and be able to demonstrate that they have obtained it.

#### **Contract Standing Order 11: Contracts Exceeding £25,000 and Not Exceeding £75,000**

- 11.1 Where the Contract Officer estimates the total Contract value is likely to be greater than £25,000 (in the case of Consultants greater than £10,000) ~~but~~ not exceeding £75,000 and an Approved List or Framework Agreement is available then at least four competitive tenders in writing shall be sought from Contractors on the relevant Approved List or Framework Agreement.
- 11.2 In the absence of an Approved List or Framework Agreement being available an approved tender procedure shall be used in accordance with Procurement Guidance.
- 11.3 In either case, if less than four suitably qualified tenders are available, the Contract Officer must consult with the Procurement Strategy Manager.
- 11.4 Where criteria additional to price are to be used in evaluation, these must be set out in the invitation to tender. At least two bona fide tenders must be received and the Most Economically Advantageous Tender accepted.
- 11.5 If only one compliant tender is received, the Contract Officer must consult with the Procurement Strategy Manager and provide evidence to show that the Council can obtain value for money.
- 11.6 Contracts with an estimated total value greater than £25,000 and not exceeding £75,000 shall be evidenced in writing in simple cases by the receipt of a written quotation and the delivery of an official order form. ~~In all other cases, including consultancy arrangements, in the case of consultants and in all other cases~~ a formal written Contract must be entered into.

## **Contract Standing Order 12: Contracts Exceeding £75,000**

- 12.1 Where the Contract Officer estimates that the total value of a Contract is likely to exceed £75,000 and either a Framework Agreement or Approved List is available, then at least five tenders will be sought from Contractors on the relevant Framework Agreement or Approved List.
- 12.2 In the absence of a Framework Agreement or Approved List being available an approved tender procedure shall be used in accordance with Procurement Guidance and, where applicable, in accordance with the EU Public Procurement Directives and UK Regulations and at least five tenders must be sought.
- 12.3 If less than five suitably qualified tenders are available, the Contract Officer must consult with the Procurement Strategy Manager.
- 12.4 At least two compliant tenders must be received and the Most Economically Advantageous Tender must be accepted. Notwithstanding this, if only one compliant tender is received, the

Contract Officer must consult with the Procurement Strategy Manager and provide evidence to show that the Council can obtain value for money.

- 12.5 Where the estimated total value of the Contract is such that the Council is required by law to comply with the EU Public Procurement Directives the requirements thereof shall be complied with and the tender procedures set out in these CSOs shall be deemed to be satisfied by such compliance.
- 12.6 Decisions relating to the Contract process for Contracts exceeding the thresholds for the EU Public Procurement Directives shall be made by the ~~Director~~Executive Director or Senior Officer in consultation with either:
- (a) the Procurement Strategy Manager, for goods and services Contracts; or
  - (b) the Head of Property and Design for works Contracts.

**Contract Standing Order 13: Contracts procured under the 'Light Touch Regime' Procedures for procuring contracts for Public Health, Health and Social Care Services**

- 13.1 Certain services as listed in Schedule 3 of the UK Regulations (including but not limited to health, healthcare, social, educational, and cultural services) must be procured in accordance with the UK Regulations under a 'Light Touch Regime' where the value of those services is above the relevant EU Threshold. Public Health, Health and Social Care Services must be procured in accordance with the EU Public Procurement Directives and UK Regulations, to the extent that those rules apply.
- 13.2 The Council recognises that ~~(as noted in para 5.3 above)~~, whilst the full requirements of the UK Regulations including the requirement for advertising in the Official Journal of the European Union (OJEU) do not apply to contracts for services which are subject to the Light Touch Regime ~~public health, health and social care services~~, they are nevertheless subject to EU Treaty principles of transparency and fairness that are designed to facilitate the functioning of the EU.
- 13.35 The Council recognises that the Care Act 2014 introduces and consolidates a number of duties which must be taken into account ~~in~~ when commissioning services.
- 13.4 Contracts for services which are subject to the Light Touch Regime where the value of such services is above the relevant EU Threshold must be advertised in the OJEU by publication of a Contract Notice or Prior Information Notice ('PIN') except where the grounds for using the negotiated procedure without a call for competition can be used, for

example where there is only one provider capable of supplying the services required.

~~In each case of procuring a contract for public health, health or social care services where the contract value exceeds the EU Thresholds,~~

13.5 The procurement process for Contracts which are subject to the Light Touch Regime must comply with the Treaty principles of transparency and equal treatment and the relevant ~~Director~~Executive Director in consultation with the ~~Procurement Strategy Manager and the~~ Head of ~~Legal and Democratic Services~~Law shall be responsible for deciding the process to be followed to ensure that these principles are complied with and that the Contract represents value for money.

13.65 In making this assessment the ~~Executive Director~~Executive Director shall take account of the individual circumstances of the Contract, including the subject matter and estimated value of the Contract, the specifics of the service sector concerned and the geographic location of the place of performance of the Contract.

~~13.6 The Director following consultation with the Procurement Strategy Manager, may determine subject to any applicable notice provisions that it is not necessary to seek offers in relation to the Contract via an OJEU notice, and that competition for a Contract may be limited if any of the following apply:~~

- ~~a. It can be demonstrated that the Contract is of no interest to service providers in other EU member states; and/ or~~
- ~~b. The total sum to be paid under the Contract is so low that service providers located in other EU member states would not be interested in bidding for the Contract; and/ or~~
- ~~c. The service is of such a specialised nature that no cross-border market of suitable service providers exists; and/ or~~
- ~~d. Advertising the Contract would result in the loss of a linked service; and/ or~~
- ~~e. The existing service provider(s) are the only service provider(s) capable of delivering the service to meet the needs of the individual(s) concerned; and/ or~~
- ~~f. The nature of the service is such that it should not or cannot be adequately specified in advance because of the nature of the social care needs of the service user(s) concerned; and/ or~~
- ~~g. There are special circumstances such as ownership of land or property, geographic locations or particular skills or experience of service providers of social care which limit the choice to one service provider; and/ or~~
- ~~h. There are reasons of extreme urgency, brought about by unforeseen events which are not attributable to the Council.~~

- ~~13.7 The Director shall be required to maintain a list of all Contracts which he/ she decides do not require to be advertised on the basis of the determinations made under the above.~~
- ~~13.8 The decisions will all be fully documented. Any reasons for deciding that a proposed Contract will not be advertised (including evidence as to how Best Value will have been achieved) must be recorded and included on the list which is to be published/go to the elected members under paragraph 13.7 above.~~
- ~~13.9 Best Value can be achieved by:~~
- ~~Understanding and testing the unit costs associated with a particular service (benchmarking);~~
- ~~Making sure that decisions are based on up to date data;~~
- ~~The use of locally or nationally agreed set rates based on an agreed formula;~~
- ~~Ensuring high cost services are regularly reviewed;~~
- ~~Joint purchasing where possible.~~

#### **Contract Standing Order 14: Contract Formation and Threshold for Sealing**

- 14.1 All Contracts should be formed using the Council's standard terms and conditions applicable to the type of contract in question, as issued from time to time by Legal Services.
- 14.2 Electronic signatures may be used provided that the sufficiency of security arrangements has been approved by the relevant Executive Director.
- 14.32 Any Contract with an estimated value of £100,000 or less which does not use the Council's standard terms and conditions (as referred to in paragraph 14.1) must be referred to the Procurement Strategy Manager for advice prior to the issue of the tender or quotation documents.
- 14.34 Any Contract with an estimated value of £100,000 or less which does not use the Council's standard terms and conditions (as referred to in CSO 14.1) must be referred to Corporate Procurement for advice before executing the Contract.
- 14.45 Any Contract with an estimated value over £100,000 which does not use the Council's standard terms and conditions (as referred to in CSO 14.1) must be forwarded to Legal Services prior to the issue of a tender, for advice as to whether the proposed Contract adequately protects the Council's interests.

14.56 Without prejudice to paragraph CSO 14.1 the Head of [Legal and Democratic Services](#) Law may approve other terms and conditions to be used in respect of a particular Contract or type of Contracts when appropriate to protect the Council's interests.

14.67 Subject to paragraph [14.8 below](#):-

- (i) Contracts with an estimated value over £250,000 shall be executed as a deed using the Common Seal of the Council;
- (ii) Contracts with an estimated value of £250,000 or less may be executed as a simple contract and signed by an officer duly authorised for that purpose in accordance with CSO 3.1.

14.78 The Head of [Legal and Democratic Services](#) Law may, on a case by case basis or in relation to a particular class of contracts and taking all relevant circumstances into account, stipulate the method by which a particular contract or class of contracts is to be executed, irrespective of the overall estimated value of the Contract.

## **Tendering Process**

### **Contract Standing Order 15: Delivery, Opening and Evaluation of Tenders**

15.1 Tenders for Contracts must be submitted by entirely electronic means using the Council's corporate e-tendering system.

15.2 Alternative methods of submission, including postal submissions, may be permitted in exceptional circumstances and only with the express written authorisation from the Procurement Strategy Manager.

15.3 Any form of electronic submission (including e-mail) that does not form part of the corporate e-tendering system shall not be permitted, and tenders submitted in such a way shall be treated as invalid.

15.4 Where tenders are to be submitted electronically, paragraphs 15.4.1 and 15.4.2 shall apply:

15.4.1 All tenders for any Contract shall be returned via the e-tendering system.

15.4.2 A tender box shall be used and all tenders shall be opened at the same time by a minimum of two authorised procurement officers. Any tender received after the specified time shall not be considered for evaluation.

15.5 Where tenders are to be submitted by post, paragraphs 15.5.1 to 15.5.3 shall apply:



- 15.5.1 All tenders for any Contract estimated to be under a total of £75,000 in value shall be returned to the ~~Director~~Executive Director or Senior Officer inviting the tender (or his/her nominee), or as otherwise indicated in CSOs, in envelopes which shall bear no mark to identify the sender. The Officer shall be responsible for ensuring that a record of all such tenders received is kept.
- 15.5.2 For Contracts with an estimated total value exceeding £75,000 all tenders shall be returned as appropriate to the Head of Property and Design or the Procurement Strategy Manager in envelopes, which shall bear no mark to identify the sender and shall be opened by him/her at the same time in the presence of a Council Employee designated by the relevant ~~Director~~Executive Director or Senior Officer. The Head of Property and Design and the Procurement Strategy Manager shall each maintain a record of all such tenders received by him/her.
- 15.5.3 All tenders shall be opened at the same time, as soon as is reasonably practicable after the closing date, normally on the closing date. On receipt, all tender envelopes shall be endorsed with the time and date of receipt and kept secure until the time specified for tender opening. Any tender received after the specified time shall not be considered for evaluation and shall be returned promptly to the tenderer. A late tender may be opened to ascertain the name of the tenderer but no details of the tender shall be disclosed.

#### **Contract Standing Order 16: Contract Award**

- 16.1 No Contract may be awarded unless the expenditure involved has been included in approved estimates or on capital or revenue accounts, or has been otherwise approved by, or on behalf, of the Council. The ~~Director~~Executive Director or Senior Officer shall ensure that evidence of authority to spend, and the budget code to be used, is recorded on the Contract file.
- 16.2 Each Contract shall be awarded in accordance with evaluation criteria that have been adopted for the Contract.
- 16.3 Contract Officers shall arrange for formal management reviews of high value and/or high risk contracts to be put in place by Executive ~~Director~~Executive Directors and shall have regard to Procurement Guidance issued on the management of Contracts.

#### **Contract Standing Order 17: Contracts Register and Records**



- 17.1 The Contracts Register shall be kept centrally and maintained by the Procurement Strategy Manager. The Contracts Register is a public document which shall be available for inspection on the Council's website.
- 17.2 Each Contract Officer shall be responsible for providing the information set out in CSO 17.3 below to the Head of Procurement for inclusion in the Contracts Register within 5 working days of the Contract signature completion.
- 17.3 The Contracts Register shall specify for each Contract
- (i) the Contract number,
  - (ii) the name of the Contractor,
  - (iii) a summary of the works to be executed or the goods and services supplied,
  - (iv) the Contract duration and value or estimated value.
  - (v) Whether any extension is permitted.
- 17.4 The Contract Officer responsible for procuring a Contract, Framework Agreement or DPS whose value is estimated to exceed the applicable threshold published from time to time in the Official Journal shall maintain a record of each procurement and shall draw up a written report complying with the provisions of Regulation 84(1-5) of the UK Regulations.
- 17.5 All procurement procedures shall be documented regardless of value and the documentation retained for 3 years from the date of award of contract.

### **Contract Standing Order 18: Termination**

- 18.1 Contracts regulated by the UK Regulations shall incorporate the right to terminate the Contract where:
- (i) the Contract has been subject to a substantial modification which would have required a new procurement procedure under Regulation 72 of the UK Regulations;
  - (ii) the Contractor has, at the time of the Contract award, been in one of the situations referred to in Regulation 57 of the UK Regulations (mandatory exclusions) and should have been excluded from the procurement procedure;
  - (iii) the EU Court of Justice has declared that the Contract should not have been awarded to the Contractor in view of a serious breach of the EU Treaties and the EU Public Procurement Directives; and
  - (iv) where the Contractor (or his employees) is in breach of the provisions of the Bribery Act 2010.

## Operation of Contract

### Contract Standing Order 19: Contract Modification (Variation)

- 19.1 Funding must be identified before any variation of an existing Contract which will require the Council to provide additional funding is approved in accordance with the Council's Financial Regulations. See Financial Regulation D.2.2.17.
- 19.2 Contract Officers should state in the initial procurement documents and incorporate in Contract provisions as far as possible clear, precise and unequivocal review clauses stating the scope and nature of possible variations.
- 19.3 If modifications are required to a Contract and a change of contractor cannot be made for technical or economic reasons which were not provided for in the initial procurement documents, such modifications shall be permitted when the value of the modification does not exceed 50% of the value of the original Contract and the revised value of the Contract does not exceed the relevant EU Threshold .
- 19.4 Modifications which are defined as substantial in accordance with the UK Regulations are not permitted.

### Contract Standing Order 20: Waivers of Contract Standing Orders

- 20.1 Special procedural exemptions or waivers may from time to time be given by the relevant Committee to particular classes of Contracts in line with the Council's procurement strategy, as specified in Committee reports.
- 20.2 Subject to CSO 20.6, in relation to Contracts estimated to not exceed a total value of £75,000, a ~~Director~~Executive Director may waive the requirements of any CSO, as long as:
  - (a) the Procurement Strategy Manager is notified as soon as possible.
  - (b) the ~~Director~~Executive Director certifies in writing to the Procurement Strategy Manager the CSO being waived and the reasons for doing so.
- 20.3 Subject to CSO 20.6, in relation to Contracts estimated to exceed a total value of £75,000, a ~~Director~~Executive Director may, after consultation with the Chair of the relevant Committee and the Procurement Strategy Manager, waive the requirements of CSOs as long as:
  - (a) the waiver report (the Report) is compiled after consulting with the Procurement Strategy Manager;

- (b) the Report is issued setting out the CSO being waived and the reasons for the waiver;
- (c) the Report includes legal and financial comments and highlights, as necessary, any future commitment (whether of a financial character or not) which the Contract may entail; and
- (d) the Report justifies the method of Contractor selection so that value for money and compliance with EU and domestic law can be demonstrated.

20.4 If an emergency has been declared under the Council's emergency planning or business continuity procedures and it is not possible or practicable for a Council Employee who would normally exercise the powers of waiver under CSO 20.2 and CSO 20.3 to do so, the powers may be exercised by:

- (i) ~~(i)~~ the Council Employee who is designated to be in charge, under those procedures or
- (ii) ~~(ii)~~ any Council Employee appointed by him / her to act on his / her behalf.

Further, if it is not possible or practicable for that Council Employee, before exercising the powers under CSO 20.3, to consult the Chair of the relevant Committee or the Procurement Strategy Manager or to issue the necessary Report, the Council Employee may exercise the powers without doing so but shall take such steps as appear appropriate at the time to keep the Chair of the relevant Committee and the Procurement Strategy Manager informed and shall issue the Report as soon as is reasonably practicable.

20.5 A report for information giving a digest of all waivers under CSO 20.2, 20.3 and 20.4 shall be made by the Procurement Strategy Manager covering the previous financial year annually to the Policy and Resources Committee.

20.6 For the avoidance of doubt, no waivers may be made so as to alter the full application of CSO 4 (Declarations of Interest), CSO 17 (Contract Registers), of CSO 4 (Declarations of Interest and Prevention of Corruption), CSO 16 (Contracts Awards), CSO 17 (Contract Registers and Records), CSO 19.3 and 19.4 (Contract Modification ), or if such waiver would result in a breach of EU or domestic law, provided that in exceptional circumstances where the ~~Director~~Executive Director is satisfied that a waiver of CSO 19.3 and/or 19.4 is necessary to ensure the continuity of services, works and/or supplies which would otherwise cease, a waiver of CSO 19.3 and/or may be made so as to permit the continuation of the services, works and/or supplies until a new contract has been let.

- 20.7 A register of all waivers will be maintained by Property and Design and kept available for inspection by the public with reasonable notice during working hours.

**Amended Extracts from  
PART 3.2 PROCEDURE RULES FOR MEETINGS OF FULL COUNCIL,  
COMMITTEES AND SUB-COMMITTEES**

**Public Questions**

**Public Question Time**

- 9.18 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.

**List of Questions**

- 9.19 A list of the questions of which notice has been given shall be circulated to Members of the Council at, or before, the meeting at which they are to be asked.

**Procedural Requirements**

- 9.20 A public question shall be put at a Council meeting provided that:-
- (a) a copy of the question has been delivered to the office of the Chief Executive (see Procedure Rule 1.6) by not later than 12 noon on the fifth working day prior to the day of the Council meeting at which it is to be asked;
  - (b) the name and address of the questioner is indicated on the question;
  - (c) the questioner is present at the time when the question is put;
  - (d) the questioner is not presenting a petition or deputation on the same, or substantially the same, issue at the same meeting.

**Length of Questions**

- 9.21 A question shall not exceed 100 words in length. The Chief Executive, after consultation with the questioner, may summarise a question to comply with this requirement.

**Content of Questions**

- 9.22 ~~Either the~~ Chief Executive ~~or the Mayor~~ may reject a question if, following consultation with the Monitoring Officer, it is in ~~his or~~ her opinion;
- not about a matter for which the Authority has a responsibility or which affects the City;
  - defamatory, frivolous or vexatious;
  - the same, or substantially the same, as a question which has been put at a meeting of the Council, a Committee meeting or a Sub-Committee meeting in the past six months;
  - requires the disclosure of confidential or exempt information;

- from a member of staff on matters affecting them as employees; or
- otherwise inappropriate.

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## Rule 10: Petitions

### Presentation and notice of Petitions

- 10.1 At a meeting of the Council any Member of the Council or a Member of the public may present a petition which has been submitted in accordance with the Council's scheme for handling petitions.

10.2 All petitions that Members or the public wish to either trigger a debate at full Council or present for decision at the appropriate Committee shall be referred to Democratic Services no less than 10 working days in advance of the relevant meeting.

10.3 The Mayor/Chair will have the discretion to take a late petition if it relates to an officer report which is before the meeting for consideration.

10.4

10.5 The presentation of the petition shall be limited to not more than three minutes, and shall be confined to reading out, or summarising, the prayer of the petition and indicating the number and description of the signatories.

10.4 All petitions that Members or the public wish to present at Council shall be referred to Democratic Services by Monday on the week of Council.

10.6

10.5 All petitions that Members or the public wish to either trigger a debate at full Council or present for decision at the appropriate Committee shall be referred to Democratic Services 10 days in advance of the relevant meeting. The Mayor/Chair will have the discretion to take a late petition if it relates to an officer report which is before the meeting for consideration.

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### Content of Petitions

- 10.5 Either tThe Chief Executive or the Mayor may reject a petition if, following consultation with the Monitoring Officer, it is in his/her opinion:

- not about a matter for which the Authority has a responsibility or which affects the City;
- defamatory, frivolous or vexatious;
- the same, or substantially the same, as a petition which has been put at a meeting of the Council, a Committee meeting or a Sub-Committee meeting in the past six months;
- requires the disclosure of confidential or exempt information;
- from a member of staff on matters affecting them as employees; or

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- otherwise inappropriate.
- Where the Chief Executive or Mayor rejects a petition then that decision shall be final.

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## Rule 11: Deputations

- 11.1 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.

### Procedural Requirements

- 11.2 A deputation shall be heard provided that by not later than 12 noon on the fifth working day prior to the day of the relevant Council meeting:
- (a) notice has been given to the Chief Executive in accordance with Procedure Rule 1.6, which complies with paragraphs (b) to (d) below;
  - (b) the subject matter and substance of the deputation is notified in writing in the form of a written summary. A deputation shall not exceed one side of A4 in length. Accompanying material may be supplied and should comprise no more than 2 sides of A4 paper;
  - (c) the names, addresses and organisation (if any) of the persons forming the deputation, to be a minimum of five and no more than twelve, indicating which one person is to speak, are notified in writing (note - the addresses of those persons forming the deputation will not be published by the council, but details of the ward(s) in which they are located will be circulated to the Council meeting);
  - (d) A person forming the deputation is not presenting a petition or question on the same, or substantially the same, issue at the same meeting.

### Content of Deputations

- 11.3 Either the Chief Executive or the Mayor may reject a deputation if, following consultation with the Monitoring Officer, it is in his/ her opinion:
- not about a matter for which the Authority has a responsibility or which affects the City;
  - defamatory, frivolous or vexatious;
  - the same, or substantially the same, as a deputation which has been put at a meeting of the Council, a Committee meeting or a Sub-Committee meeting in the past six months;
  - requires the disclosure of confidential or exempt information;

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- from a member of staff on matters affecting them as employees; or
  - otherwise inappropriate.
- If the Chief Executive or the Mayor rejects a deputation, then his/her decision is final.

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#### Rule 14: Written Reports

- 14.1 No report upon which decisions are proposed to be made shall be taken at any meeting of the Council, a Committee or Sub-Committee, unless it is in writing.
- 14.2 Verbal amendments and additions to written reports may normally be made unless the effect of them is to nullify the recommendations in the report and replace them with others. Where exceptionally amendments and additions are not allowed, other than for special reasons then those which must be recorded in the minutes.
- 14.3 With the agreement of the Mayor or Chair then unless any member objects, officers may revise or modify recommendations to reports where it is considered necessary to do so to ensure technical accuracy or to facilitate an agreed outcome.
- 14.4 Where petitions under Procedure Rule 10, Members' letters under Procedure Rule 23.3, motions under Procedure Rule 8 or deputations under Procedure Rule 11, are referred to a committee unaccompanied by a written report, the committee may discuss the petition, letter, motion or deputation, as the case may be, in general terms and note the same, or ask for an officer report on the matter. No decision which requires the Council to take substantive action or incur expenditure may be taken in response to a request in a petition, notice of motion or otherwise etc, in the absence of an officer report.

#### Rule 15: Rules of Debate (All Meetings)

##### General

- 15.1 The rules of debate in this Procedure Rule shall apply to all meetings of the Council, Committees and Sub-Committees. In the case of Committees and Sub-Committees, however, the Council recognises that a greater informality may be exercised by the Chair in order to efficiently transact the business before the meeting. Such informality shall be at the discretion of the Chair.

##### Seconding Motions and Amendments

- 15.2 A motion or amendment shall not be discussed unless it has been proposed and seconded.

##### Reserving Speech

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- 15.3 When seconding a motion or amendment, a Member may reserve his/her speech until a later period of the debate by declaring his/her intention to do so.

#### **Notice of Amendments**

- 15.4 Copies of amendments will be prepared and circulated prior to the start of a Council meeting only if such amendments are presented to the Chief Executive by 10.00am on the day of the Council meeting. Amendments for which notice has not been given ~~may~~ shall be permitted at any time at the discretion of the Mayor or Chair if s/he considers it appropriate with regard to the complexity of the matter, the question of whether notice has been given as soon as is reasonably practicable and any other circumstances that appear to be relevant.; ~~provided they are moved and seconded.~~ The Mayor or Chair may require that such amendments shall be put in writing and handed to him/her before they are discussed further.

- 15.5 **Taking of more than one** ~~One amendment at a time~~ More than one amendment Only one amendment may be moved and discussed at any one time and will be dealt with at the discretion of the Mayor or Chair. ~~No further amendment shall be moved until the amendment under discussion has been disposed of.~~

- 15.6 If an amendment is not carried, other amendments may be moved to the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion to which any further amendment may be moved.

[ .. ]

#### **Rule 29: Filming, Photographing, Audio recording ~~Cameras/TV~~ Cameras/Recording at Council**

- 29.1 Without prejudice to any power of exclusion to suppress or prevent disorderly conduct or the power to deal with other misbehaviour or interference with proceedings at a meeting, any person shall be permitted to film, ~~video or~~ photograph, record and/or stream the proceedings at Council meetings except for that part of the meeting where the public are excluded pursuant to a resolution passed in accordance with Section 100A(2) or (4) of the Local Government Act 1972 as amended.
- 29.2 Subject to para 29.1 above, a Any person attending a meeting of the Council or of a Committee or Sub-Committee may use ~~any mobile~~ communication device or method to and audio record ~~and~~ transmit council proceedings, and reasonable facilities will be made available to facilitate this. -provided that:-
- (i) Any mobile communications device shall be kept in silent mode throughout the meeting;

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- (ii) There should be no use of any voice facility to make calls, receive calls or check voice messages. Only text or non-voice uses can be made of mobile phones;
- (iii) The person presiding at the meeting may order that all mobile phones be switched off and any audio recording cease at any time;
- (iv) There shall be no recording or transmission of council proceedings when exempt [or confidential](#) business is discussed, [nor will ~~or at~~ meetings of Licensing Act 2003 Committee Panels be recorded or transmitted.](#)

29.3 The recording of proceedings by authorised personnel for the purposes of web-casting shall be permitted, providing that the Mayor or person presiding at the meeting may withdraw such authorisation if he/she considers it is not conducive to the efficient despatch of business.

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12 May 2016

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Review of Political Balance and Appointment of Committees, Sub-Committees, Joint Committees, Boards, Panels and Outside Bodies 2016/17.</b>		
<b>Date of Meeting:</b>	<b>12 May 2016</b>		
<b>Report of:</b>	<b>Chief Executive</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Abraham Ghebre-Ghiorghis</b>	<b>Tel: 01273 291500</b>
		<b>Mark Wall</b>	<b>Tel: 01273 291006</b>
	<b>Email:</b>	<b>mark.wall@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT:**

- 1.1 The Council is required at, or as soon as practicable after, each Annual Meeting of the Council to review the allocation of seats to political groups.
- 1.2 The purpose of this report is to appoint and/or re-appoint the Committees, Sub-Committees, Forums and Panels of the Council and membership thereof.

**2. RECOMMENDATIONS:**

- 2.1 That the allocation of seats as detailed in the report and in appendix 1 (to be circulated separately) to the report be approved;
- 2.2 That the Council appoints/re-appoints its Committees with the sizes and allocation of seats between political groups as set out in Appendix 1 to the report (attached);
- 2.3 That having received nominations to the Committees from the 3 political groups, as detailed in Appendix 2 to the report, (to be circulated separately), such nominations be agreed and the committee places filled accordingly;
- 2.4 That having regard to 2.3 above, those Members listed as Chair, Deputy Chair and Opposition Spokesperson of the respective Committees and Sub-Committees in Appendix 2 (to be circulated separately) be appointed to those positions;
- 2.5 That having regard to 2.2 above, an urgency sub-committee for each Committee be appointed in accordance with Procedure Rule 22 (such committee being politically balanced but not included in the total number of seats for the purpose of allocating seats);
- 2.6 That having regard to 2.2. above, it be agreed that for the purpose of enabling meetings of the Personnel Appeals Panel to be convened without

disproportionate difficulty, the make-up of such panels need not be politically balanced, although every effort will be taken to achieve it and the Council further agrees:

- (i) Although the Panel has the Members referred to in Appendix 2 as its standing Members, the Council is asked to agree that, where any of the 3 Members is not available, any Member of the Council who has received appropriate training shall be eligible to sit on the Panel;
  - (ii) That the Head of Democratic Services be authorised to set up the Panel, as and when needed with the permanent Members or, where any of them is not available, by including any other eligible Member of the Council, having regard to the need, where possible, to secure cross party representation;
  - (iii) The above arrangements, and those set out in paragraph 2.5 above, are intended to operate as "alternative arrangements" for the pursuant to section 17 of the Local Government & Housing Act 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990.
- 2.7 That the various Lead Members' roles and the designated Members listed against those roles as detailed in Appendix 3 to the report (to be circulated separately), be agreed; and
- 2.8 That Council appoints members/representatives to various bodies listed in Appendix 4.

### **3. CONTEXT / BACKGROUND INFORMATION**

- 3.1 The political composition of the Council is Labour & Co-operative (23 Members), Conservative (20 Members) and Green (11 Members). Section 15(1) of the Local Government & Housing Act 1989 requires the Council to review the representation of the different political groups on committees and sub-committees:
- At, or as soon as practicable after, the Annual Meeting of the Council or,
  - Where notice is received of a change in the composition of political groups.
- 3.2 The Chief Executive is under a duty; whenever such a review takes place, to submit a report to the Council showing what allocation of seats would in his opinion best meet the requirements of Section 15 of the 1989 Act.
- 3.3 The Council's duty to determine the allocation of seats is prescribed by Section 15 of the Local Government & Housing Act 1989 (specifically sub-sections (3) to (5). These do not impose any specific requirement on the Council to consult the political groups as to which committee seats should be allocated to which group – this only applies to the actual appointment of Members to particular seats once they are allocated to political groups.
- 3.4 It is clearly preferable if all Groups have an agreed position as to which committee allocations are to be adjusted, provided that the agreed position does not conflict with the Council's duty, which is "to make **only** such determinations as give effect, so far as reasonably practicable, to the principles specified in sub-

section (5).”

3.4.1 In summary, these principles of determination (“principles”), are that:

- (a) All seats are not allocated to the same Group,
- (b) The majority of the seats go to the Group (if any) which has an overall majority on the Council (i.e. more than 27 seats),
- (c) Subject to the above two principles, that the number of seats on the total of all the committees/sub-committees allocated to each Group bears the same proportion to the proportion on the Full Council, and
- (d) Subject to (a) and (c), that the number of seats on each committee/sub-committee allocated to each Group bears the same proportion to the proportion on the Full Council.

#### Overall Political Group split on the Council

3.5 The political groups have the following seats on the Council:

<u>Party</u>	<u>Seats</u>	<u>Calculation</u>	<u>%</u>
Labour & Co-op	23	23/54	42.59
Conservative	20	20/54	37.03
Green	11	11/54	20.37
<b>Total</b>	<b>54</b>		<b>99.99%</b>

#### Committee Sizes

3.6 The total number of committee places used for the determination of the allocation of seats to the political groups is 108 as detailed in Appendix 1. (Note that the Political Balance Regulations do not apply to the Licensing Committee (2003 Act) and therefore only the 15 seats for the Licensing Committee are included in the 108 seats to be allocated).

3.7 The proposed allocation of places on each of the committees as detailed in Appendix 2 to the report takes into account the principles referred to in paragraph 3.4.1 in that:

- (a) The Labour & Co-operative Group’s overall allocation equals 46 seats,
- (b) The Conservative Group’s overall allocation equals 40 seats,
- (c) The Green Group’s overall allocation equals 22 seats.

3.8 In seeking to allocate the 108 available seats, 107 can be allocated across the various committees and across the 3 Political Groups proportionately. The initial allocation across all the committees results in the Labour & Co-operative Group being under allocated by 3 seats, with the Conservative Group holding two extra seats, and one seat not being allocated.

- 3.9 The Planning Committee has one seat not allocated across the 3 Groups and therefore it is proposed that the Labour & Co-operative Group are allocated this seat, to reduce their under allocation. The remaining two seats required by the Labour & Co-operative Group to fulfil their overall allocation are then taken up from the Conservative Group's initial allocation.
- 3.10 The Lead Member Roles listed in appendix 3 and the designated Member for each role is anticipated to be the spokesperson for that area on behalf of the Council and the Administration. This will be reviewed by the Chief Executive and Leader of the Council to determine whether they are sufficient or if there is a need to make any changes to the roles or designations.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The proposed committee allocations have been raised with the respective Group Leaders and are in keeping with the Regulations governing the political balance of committees.

#### **5. CONCLUSION**

- 5.1 Having taken into consideration the number of committees and seats available for the distribution of places between the three Groups represented on the Council, the allocations proposed are considered to be the most appropriate.

#### **6. CONSULTATION**

- 6.1 The Leaders of the three political groups have been consulted on the proposed allocations and notification of nominations for committee membership and Lead Member roles will be provided after the respective Annual Group Meetings. Details of these nominations will be listed in appendices 2 and 3, which will be tabled at the Council meeting as part of the addendum papers.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 All associated costs for the payment of Members Allowances taking into account the changes in allocations remain within the Members Allowances Scheme and will be met from within existing resources.

*Finance Officer Consulted: Peter Francis*

*Date: 03/05/2016*

##### Legal Implications:

- 7.2 The proposals in this report comply with Section 15(1) of the Local Government & Housing Act 1989, which sets out the duty and principles regarding the allocation of seats to political groups.

*Lawyer Consulted: Abraham Ghebre-Ghiorghis*

*Date: 03/05/2016*



#### Equalities Implications:

- 7.3 There are no equalities implications arising from the report and the application of the regulations provide for the distribution of seats amongst the political groups on an equitable basis.

#### Sustainability Implications:

- 7.4 There are no sustainability issues arising from the report.

#### Risk and Opportunity Management Implications:

- 7.5 The allocation of seats across the various parties is required by statute and the failure to comply with the requirements could place the council at risk and subject to review from the Secretary of State.

#### Corporate / Citywide Implications:

- 7.6 The appointments process needs to be completed to enable the various decision making bodies to have their memberships confirmed so that meetings can then be called in accordance with regulations. The failure to appoint to the bodies would prevent decisions from being taken and therefore could result in the authority failing to undertake its duties and responsibilities.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

- |            |   |   |
|------------|---|---|
| Appendix 1 | - | Committee seat allocations;   |
| Appendix 2 | - | Chairs, Deputy Chairs, Opposition Spokespersons and Committee membership nominations; |
| Appendix 3 | - | List of Lead Members roles and nominees   |
| Appendix 4 | - | Appointments to Council and Outside Bodies  |

### **Documents in Members' Rooms**

None

### **Background Documents**

None



# **ALLOCATIONS OF COMMITTEES 2016/2017**

Agenda Item 10 Appendix 1

<b>Committees and Sub-Committee</b>	<b>No. Seats</b>	<b>Labour &amp; Co-operative</b>	<b>Conservative</b>	<b>Green</b>
<b>Policy Resources &amp; Growth</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>
<b>Children, Young People &amp; Skills</b>	<b>10</b>	<b>5</b>	<b>3</b>	<b>2</b>
<b>Economic Development &amp; Culture</b>	<b>10</b>	<b>5</b>	<b>3</b>	<b>2</b>
<b>Environment, Transport &amp; Sustainability</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>
<b>Housing &amp; New Homes</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>
<b>Neighbourhoods, Communities &amp; Equalities</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>
<b>Audit &amp; Standards</b>	<b>8</b>	<b>3</b>	<b>3</b>	<b>2</b>
<b>Licensing*</b>	<b>15</b>	<b>6</b>	<b>6</b>	<b>3</b>
<b>Planning</b>	<b>12</b>	<b>6</b>	<b>4</b>	<b>2</b>
<b>Health Overview &amp; Scrutiny</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>
<b>Personnel Appeals</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Total</b>	<b>108</b>	<b>46</b>	<b>40</b>	<b>22</b>

4 x Co-optees

x Co-optees

2x Independent Co-optees

# **ALLOCATIONS OF COMMITTEES 2016/2017**

Agenda Item 10 Appendix 1

<b>Other Bodies</b> Not included in the equation for the allocation of seats:	<b>No. Seats</b>	<b>Labour &amp; Co-operative</b>	<b>Conservative</b>	<b>Green</b>
<b>Health &amp; Wellbeing Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>
<b>Corporate Parenting Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>
<b>Procurement Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>
<b>Strategic Delivery Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>
<b>Urgency Sub-Committees</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>
<i>Licensing 2003Act* - has the same membership as Licensing Committee</i>	<i>15</i>	<i>6</i>	<i>6</i>	<i>3</i>
<b>Joint Committees</b>				
<b>Greater Brighton Economic Board</b>	<b>2</b>	<b>1</b>	<b>1</b>	
<b>Orbis</b>	<b>1</b>	<b>1</b>		