

**Council**

19 December 2019

**Agenda Item 58**

Brighton &amp; Hove City Council

**Subject:** **Review of the Constitution – December 2019** – Extract from the proceedings of the Policy & Resources Committee meeting held on the 5 December 2019

**Date of Meeting:** **19 December 2019**

**Report of:** **Executive Director Finance & Resources**

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**Wards Affected:** All

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

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

**Recommendation:**

- (1) That the proposed changes to delegations in respect of Planning Committee and to relevant Protocols be agreed as indicated in paras 4.1 to 4.3 and Appendices 2-4;
- (2) That the proposal at para 4.12 to amend the Council Procedure Rules in respect of the arrangements of the council's Urgency Sub Committees be agreed;
- (3) That the proposal at para 4.15 for a gender-neutral Constitution and the proposal for a BME invitee to attend Policy & Resources Committee meetings as referred to in paragraph 4.9 be agreed;
- (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 by Full Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes; and
- (5) That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

## BRIGHTON &amp; HOVE CITY COUNCIL

## POLICY &amp; RESOURCES COMMITTEE

4.00pm 5 DECEMBER 2019

## BRIGHTON TOWN HALL - COUNCIL CHAMBER

## MINUTES

**Present:** Councillors: Platts (Chair), Yates (Deputy Chair), Mac Cafferty (Opposition Spokesperson), Mears (Group Spokesperson), Allcock, Clare, Gibson, Moonan, Shanks and Simson

## MINUTE EXTRACT

PART ONE**92 REVIEW OF THE CONSTITUTION – DECEMBER 2019**

- 92.1 The Committee considered the report of the Executive Lead Strategy Governance & Law which set out the proposed changes to the Council's Constitution. The proposals set out in the report had been considered by the cross-party Constitutional Working Group.
- 92.2 Councillor Mears referred to Recommendation 2.3, asked for confirmation that a BAME individual would only attend a meeting whilst it was considering Part One items and not Part Two items. The Executive Lead Strategy Governance & Law said that a BAME representative would attend a meeting as an 'invitee', and under the Local Government Act 1972 it was not possible to co-opt a non-councillor to be a full member of a committee and as they would not be a full member they could not take part in any Part Two item.
- 92.3 Councillor Moonan said that under the previous administration a policy had been introduced to buy back homes. This was a quick way to get homeless people housed, and she was pleased that the policy was being extended. As many family homes the Council wanted to purchase were above the current limit, the Delegated Authority was being increased. The Constitution Working Group wanted the more marginalised groups in the city to have a voice in the decision making process of the Council, and whilst that was a detailed piece of work and would take some time, they wanted to do something straight away and having a BAME representative at P&R Committee meetings would signal the Council's commitment.

**92.4 RESOLVED:**

- (1) That the proposal to make changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution relating to the Council's planning functions as indicated in Paragraphs 4.1-4.3 and Appendix 1 be agreed;
- (2) That the proposal to change Part 6 of the Council's Constitution to increase the financial threshold in relation to officer delegations governing the acquisition of residential property in para 4.5 be agreed;
- (3) That the proposal in para 4.9 to invite a BAME individual to attend Policy & Resources Committee early in 2020 be approved as a first step to increase participation and input by protected characteristic groups;
- (4) That the proposal in paragraphs 4.11 which relates to the arrangements for the Council's Member Working Groups be agreed;
- (5) That the draft protocol regarding the use of urgency powers attached at Appendix 6 and referred to at paragraphs 4.13-4.14 be agreed; and
- (6) That Full Council be recommended to approve the changes recommended to it in paras 2.7 to 2.9 below.

**RESOLVED TO RECOMMEND:**

- (7) That the proposed changes to delegations in respect of Planning Committee and to relevant Protocols be agreed as indicated in paras 4.1 to 4.3 and Appendices 2-4;
- (8) That the proposal at para 4.12 to amend the Council Procedure Rules in respect of the arrangements of the council's Urgency Sub Committees be agreed;
- (9) That the proposal at para 4.15 for a gender-neutral Constitution and the proposal for a BME invitee to attend Policy & Resources Committee meetings as referred to in paragraph 4.9 be agreed;
- (10) 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 by Full Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes; and
- (11) That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

