

## **PART 2 D TERMIS OF REFERENCE OF OTHER BODIES AND PARTNERSHIPS**

- 1. INTRODUCTION**
- 2. INDEPENDENT REMUNERATION PANEL**
- 3. CORPORATE PARENTING BOARD**
- 4. SUSSEX HEALTH CARE ASSEMBLY (SUSSEX INTEGRATED CARE PARTNERSHIP)**
- 5. MEMBER ADVISORY GROUP: GRANTS**
- 6. JOINT STAFF CONSULTATION FORUM**
- 7. BRIGHTON & HOVE, AND BARNARDO'S LINK PLUS, JOINT FOSTERING PANEL**
- 8. YOUTHWISE**
- 9. DOWNLAND ADVISORY PANEL**
- 10. ORBIS PARTNERSHIP OVERSIGHT BOARD**
- 11. COMMUNITY SAFETY PARTNERSHIP BOARD**
- 12. HOUSING AREA PANELS (X 4)**
- 13. SHOREHAM HARBOUR REGENERATION PROJECT**
- 14. GREATER BRIGHTON ECONOMIC BOARD**
- 15. SUSSEX POLICE & CRIME PANEL**

## **PART 2 D TERMS OF REFERENCE OF OTHER BODIES AND PARTNERSHIPS**

### **1. INTRODUCTION**

The Other Bodies & Partnerships listed in this Part describe some of the arrangements the Council has chosen to enter into with outside bodies and stakeholders in order to ensure the more effective discharge of its functions, as well as any working groups which the Council participates in on an ongoing basis. The Council's partnership arrangements range from formally constituted joint committees to more informal arrangements involving other bodies and/or individuals, such as boards, panels and groups. These arrangements vary over time. A more comprehensive and up to date picture may be found in [the annual Report to full Council](#) in May of each year, when members are appointed to these Bodies.

### **OTHER BODIES & PARTNERSHIPS– TERMS OF REFERENCE**

#### **2. INDEPENDENT REMUNERATION PANEL**

##### **1. Purpose**

- 1.1 The principal duties of the statutory Independent Remuneration Panel are (a) to advise the Council on its scheme of allowances to be paid to Members and co-optees to the Council and (b) to advise Rottingdean Parish Council on its scheme of allowances for Parish Council members.

##### **2. Objectives and Terms of Reference**

- 2.1 The functions of the Independent Remuneration Panel are as set out in Regulation 21 of the Local Authorities (Members' Allowances) (England) Regulations 2003, namely to produce a report in relation to Members of the Council making recommendations:
- (a) as to the amount of basic allowance which should be payable to Members;
  - (b) as to the duties in respect of which such Members should receive a special responsibility allowance and as to the amount of such allowance;
  - (c) as to whether the allowance scheme should include allowances in respect of the expenses of arranging for the care of children or dependants of such Members and the amount of such allowances;
  - (d) as to the responsibilities or duties in respect of which a travel and subsistence allowance should be available;
  - (e) as to the responsibilities or duties in respect of which a co-optees' allowance should be available;

- (f) as to whether payment of allowances may be backdated in accordance with Regulation 10(6) in the event of the scheme being amended at any time;
- (g) as to whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply;
- (h) as to which Members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972;
- (i) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable;
- (j) as to whether any allowances to Members should be withheld in the event of the Member concerned being suspended or partially suspended.

2.2 Where the Independent Remuneration Panel exercises its functions in relation to the Parish Council within the authority's area, its functions are as set out in Regulation 28 of the Local Authorities (Members' Allowances) (England) Regulations 2003, namely to produce a report in relation to members of the Parish Council making recommendations:

- (a) as to the amount of parish basic allowance which should be payable to Parish Council members;
- (b) the amount of travelling and subsistence allowance payable to members of such authorities;
- (c) as to whether parish basic allowance should be payable only to the chair of the Parish Council or to all of its members;
- (d) as to whether, if parish basic allowance should be payable to both the chair and the other members of any such authority, the allowance payable to the chair should be set at a level higher than that payable to the other members and, if so, the higher amount so payable;
- (e) as to the responsibilities or duties in respect of which members should receive parish travelling and subsistence allowance.

2.3 In addition to the functions under 2.1 and 2.2 above, the Independent Remuneration Panel may, if requested to do so by the Monitoring Officer, consider the expenses allowances paid to the Mayor and Deputy Mayor under Sections 3 and 5 of the Local Government Act 1972.

### **3. Reporting**

3.1 The Independent Remuneration Panel reports through the Audit, Standards and General Purposes Committee to the Full Council.

#### **4. Membership**

- 4.1 The Independent Remuneration Panel consists of between three and five members, appointed by the Monitoring Officer after consultation with the Chief Executive. Any person who is a Member, or otherwise a co-optee of the Council, or is disqualified from being a Member is not eligible for appointment.
- 4.2 Members of the Independent Remuneration Panel are appointed for an initial term of three years. The Council may, at its discretion, extend this period. The Council or the member of the Panel may determine the appointment by giving one month's notice.
- 4.3 The Independent Remuneration Panel is chaired by a person appointed by the Panel from its members.
- 4.4 The Independent Remuneration Panel meets on such dates and at such times as the Panel may determine, having regard to the advice from the Monitoring Officer.
- 4.5 The quorum for meetings of the Independent Remuneration Panel is at least 50% of the members of the Panel.

#### **5. Review**

- 5.1 The arrangements for the Independent Remuneration Panel are principally statutory, but otherwise are subject to review by the Full Council, through the Audit, Standards and General Purposes Committee.

### **3. CORPORATE PARENTING BOARD**

#### **1. Purpose**

The Corporate Parenting Board reports to the relevant Cabinet portfolio holder. It acts as an advisory board to the Council, its partners, Cabinet and Committees on matters related to the Council's looked after children. Its role is to ensure that the Council and its partner agencies have a joint commitment to:-

- (a) Achieving improved outcomes for children in care and care leavers;
- (b) Developing and overseeing implementation of the Corporate Parenting Strategy to drive improved outcomes;
- (c) Providing challenge to ensure that the Council's duties as Corporate Parent are carried out effectively and consistently.

#### **2. Objectives and Terms of Reference**

- 2.1 To assist in the development, operation, monitoring and review of the Council's policies and strategies as they affect children in care and care leavers.
- 2.2 To develop, monitor and review a Corporate Parenting Strategy and work plan.
- 2.3 To promote a co-ordinated and partnership approach to the delivery of Council services as they affect children in care and care leavers and to challenge services where this is not evidenced or effective.
- 2.4 To advise the Council, Committees and Cabinet on issues relevant to children in care and care leavers and to ensure that policies implemented by the Council which affect these children and young people are effective and appropriate.
- 2.5 To review and monitor outcomes for looked after children and care leavers, including data from the Corporate Parenting Report Card and feedback from the Standards and Complaints and Quality Assurance Framework officers in respect of children in care and care leavers.
- 2.6 To ensure that clear and accessible information is readily available to children in care and care leavers on the corporate parenting they can expect from the Council.
- 2.7 To ensure that systems are in place which mean that the views of children and young people are represented in the development of services that affect them.

- 2.8 To ensure arrangements are made for the training and development of Members (and others as appropriate) on the Council's Corporate Parenting role.
- 2.9 To receive reports on the discharge of the Council's functions regarding the provision of accommodation for looked after children and care leavers, and to make recommendations to the appropriate body of the Council.

### **3. Reporting**

- 3.1 To report to Cabinet on a twice yearly basis.
- 3.2 To make recommendations to Cabinet and the relevant Committee where responsibility for a particular function rests with that Committee.

### **4. Membership**

- 4.1 Membership of the Corporate Parenting Board will consist of
  - 5 elected Members, plus
  - up to 4 nominated co-optees
- 4.2 Invitations to attend the Corporate Parenting Board may be extended to representatives of interested groups and to additional elected Members and Officers from across Council services
- 4.3 The membership of the Corporate Parenting Board is subject to review by the Executive.
- 4.4 The Chair of the Corporate Parenting Board is the Leader of the Council.

### **5. Review**

The work of the Corporate Parenting Board is subject to bi-annual review by the relevant Cabinet portfolio holder. .

## **4. SUSSEX HEALTH CARE ASSEMBLY (SUSSEX INTEGRATED CARE PARTNERSHIP) TERMS OF REFERENCE**

### **Governance**

1. The Sussex Health and Care Assembly (the Assembly) is a formal partnership forum jointly established by NHS Sussex, Brighton & Hove City Council, East Sussex County Council and West Sussex County Council (the three Local Authorities) in accordance with the Constitutions of each body. The Assembly is the Integrated Care Partnership for Sussex, established under the Health and Care Act 2022 and these Terms of Reference have been agreed by each of these bodies.

### **Purpose**

2. The purpose of the Assembly is to support and promote greater integration and collaboration across health and social care at a strategic, Sussex-wide level. It will build upon the local Health and Wellbeing Strategies and co-ordinate the strategic direction for meeting the broader health, public health and social care needs of the population of Sussex to settle an Integrated Care Strategy for Sussex. It will undertake any other activities agreed by NHS Sussex and the three Local Authorities to help address the wider determinants of health and wellbeing and greater health equality at a strategic level. Its work will build upon and be informed by work at place level in Brighton & Hove, East Sussex and West Sussex, including through the local Joint Strategic Needs Assessments.

### **Responsibilities**

The Assembly will:

3. Develop, approve and publish an Integrated Care Strategy for the whole population of Sussex, using best available evidence and data, covering health and social care and addressing the wider determinants of health and wellbeing. This will be built from local assessments of needs and assets identified at place level, based on Joint Strategic Needs Assessments.
4. Complement existing governance arrangements including Health and Wellbeing Boards (HWBs) and other place-based partnerships, and ensure governance and decision-making are proportionate, support subsidiarity and avoid duplication across the Sussex Health and Care System.
5. Promote and enhance integrated approaches, partnership working and collaboration within the Sussex health and care system, where these can improve planning, outcomes and service delivery.
6. Complement place-based working and partnerships, developing relationships on a pan-Sussex basis.

7. Highlight where coordination is needed on health and care issues and, through the development, promotion and oversight of the Integrated Care Strategy, challenge partners to deliver the action required. This includes, but is not limited to:
  - helping people live more independent, healthier lives for longer;
  - taking a holistic view of people's interactions with services across the system and the different pathways within it;
  - addressing inequalities in health and wellbeing outcomes, experiences and access to health and care services;
  - improving the wider social determinants that drive these inequalities, including employment, housing, education, environment, and reducing offending;
  - improving the life chances and health outcomes of babies, children and young people;
  - improving people's overall wellbeing and preventing ill-health.
8. In preparing the Integrated Care Strategy:
  - consider the extent to which the needs could be met more effectively by the making of arrangements under section 75 of the National Health Service Act 2006 (rather than in any other way);
  - have regard to—
    - (a) the mandate published by the Secretary of State under section 13A of the National Health Service Act 2006, and
    - (b) any guidance issued by the Secretary of State;
  - involve the Local Healthwatch organisations for Sussex and involve the people who live or work in Sussex; and
  - may include a statement of its views on how arrangements for the provision of health-related services in the area could be more closely integrated with arrangements for the provision of health services and social care services.
9. Each time the Assembly receives an assessment of relevant needs it will:
  - (a) consider whether the current Integrated Care Strategy should be revised, and
  - (b) if so, prepare a revised Integrated Care Strategy.
10. Report to NHS Sussex and the Health and Wellbeing Board of each of the three Local Authorities after each meeting of the Assembly, highlighting issues that require action.

## **Members**

11. As set out in the Health and Care Act 2022, the core membership of the Assembly (as the Integrated Care Partnership) is NHS Sussex and the three local authorities. The composed Assembly may then appoint others.



The three Local Authorities and NHS Sussex will each appoint their members to the Assembly in accordance with their respective Constitutions. Members are bound by the Standing Orders and Codes of Conduct of their respective appointing bodies, including those relating to equalities, confidentiality and information governance.

12. The Assembly will consist of the following members representing the four statutory partners:

**NHS Sussex [the Integrated Care Board] (1)**

Chair of NHS Sussex (or their nominated substitute)

**Brighton & Hove City Council (1)**

Health and Wellbeing Board Chair (or their nominated substitute)

**East Sussex County Council (1)**

Health and Wellbeing Board Chair (or their nominated substitute)

**West Sussex County Council (1)**

Health and Wellbeing Board Chair (or their nominated substitute)

One officer from each of the local authorities and NHS Sussex will also be permitted to attend to contribute towards the work of the Assembly and/or assist and advise the Health and Wellbeing Board Chairs or NHS Sussex Chair as appropriate.

In addition to the membership from the statutory partners, the following members will also be appointed to support the work of the Assembly:

- Independent Chair, appointed by the four statutory partners
- 2 x Education Members, one from Further Education and one from Higher Education in Sussex
- 1 x Employment Member, from the Sussex Chamber of Commerce or equivalent organisation in Sussex
- 1 x Housing Member, with experience of housing and the built-environment in Sussex
- 1 x Physical Activity Member, with experience of providing sport and leisure services in Sussex
- 2 x Healthcare Members, including the Chief Delivery & Strategy Officer of NHS Sussex and a General Practitioner in Sussex
- 3 x Voluntary, Community & Social Enterprise Members, one from each place in Sussex
- 3 x Independent Health and Social Care Champion Members, one from each Healthwatch in Sussex

The Assembly will appoint further members or observers as it considers appropriate in line with its agreed work programme.

Subject matter experts, research specialists, people with lived experience of each stage of the life course and representatives from seldom-heard communities can also be invited to attend and participate in specific agenda items at Assembly Meetings, with the agreement of the Independent Chair and the four statutory partners.

## **Procedure**

### **Chairmanship**

13. An Independent Chair and secretariat will be appointed by the four statutory partners. The Chair should be a resident in or have a close association with Sussex and must not be currently employed by or have any affiliation with any of the members of the Assembly to demonstrate their neutrality and transparency. A competitive process will be used to recruit and select, with unanimous support, an Independent Chair. The Independent Chair will be employed by one of the four statutory partners in just this specific role. Any disciplinary and dismissal processes in respect of the Independent Chair will be undertaken in line with the employing partner's policies and procedures but can be triggered by any one of the Assembly Members from the four statutory partners.

### **Meeting proceedings and quorum**

14. The Assembly will meet formally, in public, at least twice per year, unless the Assembly resolves to meet in private in accordance with reasons permitted by the legislation relevant to the meetings of public bodies. Additional meetings may take place as required, with the agreement of the Chair and the four statutory partners.

15. Meetings held in person will be at venues providing accessibility to the public. Members of the Assembly may attend remotely with the agreement of the Chair. Any formal public meetings held entirely virtually will be recorded to provide openness and transparency to the public.

16. The Assembly is quorate when there are four members of the Assembly present including at least one representative from NHS Sussex and each of the three Local Authorities. If the quorum has not been reached, the meeting may proceed if those attending agree, but no decisions may be taken. Members attending meetings virtually will be counted towards the quorum.

17. In any circumstance where a decision is required the Chair shall strive to ensure a consensus is achieved. If a vote has to be taken, in the event of an equality of votes, the Chair shall have a second or casting vote. Each

core (NHS Sussex and local authority) member of the Assembly will be entitled to a single vote. The voting rights of any other members appointed by the Assembly will be determined by the Assembly.

### **Attendance**

18. Where a member cannot attend a meeting of the Assembly, they may send a nominated substitute, with agreement of the Chair, who will have equivalent voting rights.

### **Engagement**

19. Where relevant to its responsibilities, the Assembly may engage and consult with partner organisations to promote strategic integration and collaboration across the health and social care sector in Sussex. This should not duplicate existing engagement/consultation arrangements, such as carried out at place level by Health and Wellbeing Boards. Key consultees of the Assembly will include:

- Healthwatch Brighton & Hove, East Sussex and West Sussex
- Patient Forums for each area of Sussex
- Place-based partnerships
- NHS and social care providers
- Voluntary, Community and Social Enterprise organisations
- Higher and Further Education providers
- Housing specialists
- Local Enterprise representatives
- Other subject matter experts as required.

### **Administration and access to agenda and reports**

20. Organisation and administration for the Assembly will be overseen by the Independent Chair but is a shared responsibility between the four statutory partners, who also need to agree the funding and timing. Support will be provided by one of the four statutory partners on a full cost recovery basis and managed through a Service Level Agreement. NHS Sussex will continue to publish the agendas, papers and recordings of Assembly meetings on the Sussex Health & Care website.
21. The four statutory partners will make equal contributions towards the cost of the Assembly.
22. Each statutory partner will also provide a venue and refreshments free of charge for one of the Assembly Meetings each year in rotation.
23. The Independent Chair will be responsible for agreeing the Assembly dates and venues with the four statutory partners for the year in advance. The Independent Chair will then need to agree the agendas, papers and presentations with the four statutory partners at least two months before each Assembly meeting.
24. Copies of the agenda and reports for meetings of the Assembly will be

provided to Members (via e-mail) and published on the NHS Sussex website (for public access) at least five clear working days before the meeting. Assembly papers will be available online for a period of six years, after which time they will be archived.

25. The Assembly meetings will be recorded professionally so that a video of each meeting can be published on the Sussex Health & Care website within 48 hours of the meeting.
26. Minutes of meetings shall be recorded by the secretary and submitted in draft form to the NHS Sussex Board, and the Health and Wellbeing Board of each of the three Local Authorities. The draft minutes will also be published on the NHS Sussex website once approved by the Chair. Minutes will be subject to final agreement by the Assembly.
27. The secretary will support the Chair of each Health and Wellbeing Board to prepare and deliver reports to the three Local Authorities' Health and Wellbeing Boards and the NHS Sussex Chair to deliver reports to the NHS Sussex Board.

#### **Terms of Reference publication and review**

28. These Terms of Reference will be published on the websites of NHS Sussex and the three Local Authorities.
29. As a partnership forum, it will be important to ensure there is a robust review process for the Assembly. Its Terms of Reference will be reviewed by the Assembly on an annual basis. Any proposed changes will require the approval of NHS Sussex and each of the three Local Authorities.

#### **Document Control**

<b>Document Reference</b>	SHCA ToR
<b>Version</b>	DRAFT V.3
<b>Approval</b>	Sussex Health and Care Assembly
<b>Issued on</b>	
<b>To be reviewed by</b>	

#### **Change Record**

<b>Date</b>	<b>Change</b>	<b>Comments</b>
26/01/24	Independent Chair, revised membership and updated working arrangements	Based on a governance and effectiveness review by the Assembly Members and the Statutory Members between October 2023 and January 2024.

## **5. MEMBER ADVISORY GROUP: GRANTS**

### **1. Purpose**

The Member Advisory Group: Grants will act as a cross-party member body for the purposes of consultation on community and voluntary sector grants in relation to the Third Sector Investment Programme administered by the Corporate Director Corporate Services.

Specifically, following the approval of such grants, the Corporate Director Corporate Services must consult with the Member Advisory Group: Grants if proposing to amend any or all of the grants in response to budget changes.

### **2. Status**

The Member Advisory Group: Grants shall be an advisory board to the Corporate Director Corporate Services. The Members Advisory Group: Grants will not have Sub-Committee 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 Member Advisory Group: Grants will be established on a cross party basis. The Member Advisory Group: Grants will be established as a permanent member working group by Audit, Standards and General Purposes Committee.

### **3. Areas of focus**

The Member Advisory Group: Grants is focused on grants administered by the Corporate Director Corporate Services.

### **4. Reporting**

The Member Advisory Group: Grants performs a consultative function for the Corporate Director Corporate Services rather than reporting directly to Cabinet or a Committee. However, details of grants funding is reported annually to the Member Advisory Group: Grants and published on the Council's website.

### **5. Membership**

Membership of the Member Advisory Group: Grants shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **6. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Member Advisory Group: Grants. The Group will agree ways of working appropriate to the role and remit of the Group.

### **7. Review**

These terms of reference may be reviewed and amended by the Audit Standards and General Purposes Committee from time to time.

## **6. JOINT STAFF CONSULTATION FORUM**

### **1. Purpose**

The Joint Staff Consultative Forum facilitates dialogue between the Council as employer and the Council's employees.

### **2. Status**

The Joint Staff Consultation Forum shall be an advisory board to the relevant Cabinet portfolio holder or Committee, as appropriate. The Joint Staff Consultation Forum will not have Sub-Committee 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**

The role of the Joint Staff Consultation Forum is to provide a mechanism for regular communication and consultation (a) in support of the Council's approach to working in partnership with its recognised trade unions and professional associations and (b) to maintain a healthy employee relations climate.

### **4. Reporting**

Matters raised may become the subject of reports to Cabinet or Committee as appropriate.

### **6. Membership**

Membership of the Joint Staff Consultation Forum shall consist of 6 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council, and employee representatives.

### **7. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Joint Staff Consultation Forum. The Joint Staff Consultation Forum will agree ways of working appropriate to the role and remit of the Forum.

### **8. Review**

These terms of reference may be reviewed and amended by the Audit Standards & General Purposes Committee from time to time.

**7. BRIGHTON & HOVE, AND BARNARDO'S LINK PLUS, JOINT FOSTERING PANEL**

**1. Purpose**

- 1.1 To be the Joint Fostering Panel in accordance with the Fostering Services (England) Regulations 2011 and to carry out the responsibilities of a fostering panel under the relevant legislation.

**2. Membership**

- 2.1 One elected Member and such other persons as may form part of the Joint Fostering Panel.

## 8. YOUTHWISE

### 1. Purpose

Views and recommendations from this group will be taken into account by the Councillors and Youth Council representative.

### 1. Membership

- Councillors – usually one Member from each of the four political groups in the council
- Young people from different areas, groups and youth services in the city including representatives from the Youth Council, Children in Care Council, commissioned youth projects and other youth organisations.
- Corporate Director or Assistant Director Families, Children & Learning
- Youth workers to support young people if deemed necessary
- Council Officer to oversee organisation and administration

**Frequency** – Every 3 months, with task and finish groups as agreed and additional meetings set up when deemed necessary. Young people to meet before the more formal meeting with councillors and senior officers.

**Venue** – The young people were keen to hold the meeting in various venues because it would be good to get to know other youth venues. Agreed to rotate venues across the city and include more formal meeting places to give young people that experience.

**Agenda** The young people would like the agenda going out well in advance (month before the meeting) so they have time to garner the views from the young people in their group so their voices can also be brought to the meeting. Agenda items can be proposed by young people, councillors or senior council officers.

**Chairing** The relevant Cabinet portfolio holder to chair the meeting with, if there is a volunteer, a young person.

**Organisation/Administration** Council Officer to organise the meeting, consult and agree an agenda, circulate papers a month in advance and type up notes from meeting and circulate. Communication We need to reach out to other young people; past members have been involved, mainly due to knowing and having a good relationship with a youth worker. It was agreed that we need a robust communication plan with the meeting dates, agenda items and how they can feed into the group published widely via various routes such as Facebook. It was agreed that further discussion is required on this.



## **9. DOWNLAND ADVISORY PANEL**

### **1. Name**

Downland Advisory Panel

### **2. Purpose**

2.1 The purpose of the Downland Advisory Panel ('the DAP') is purely consultative. It exists to allow Brighton & Hove City Council ('BHCC') to draw on and access local skills, experience and expertise, to advise on the management of the City Downland Estate and assist with the strategic direction and implementation of the City Downland Estate Plan – its policy development, plans and delivery.

2.2 The collective views of the DAP will contribute to presentations and committee papers which are prepared by officers of BHCC. In this way, the DAP will support and inform the decision making processes followed by BHCC as responsible authority (see below).

### **3. Status**

3.1 The Downland Advisory Panel shall provide a purely advisory function to the Council's Asset Management Board and to Cabinet, as appropriate. It is a partnership body which includes both Council members and external organisations and does not have subcommittee status. While the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply, it is expected that those members of the DAP who are elected members of the Council ('BHCC') will be appointed on a cross party basis.

### **4. Areas of focus**

4.1 The DAP's aim is to provide advisory support to contribute to BHCC's implementation of the following vision -

"A rejuvenated City Downland Estate will be carbon negative and climate resilient, its biodiverse grassland landscape fully restored and teeming with wildlife. The estate will be a locus for natural farming, where local food production will flourish.

By creating new amenities and opening up more land to the public – and by making it easier for all to visit and enjoy - the estate will fulfil its potential to boost the wellbeing of everyone who experiences it. The estate will be managed to reflect the will of the community. This land is yours."

4.2 With the above in mind, members of the DAP will collectively:

- Work to monitor the proper implementation of the City Downland Estate Plan, its Vision, Purposes, and the Outcomes in the City Downland Estate Plan (CDEP);
- Broaden and deepen engagement with the City Downland Estate, in particular through the active involvement of individuals and groups for whom its relevance and potential benefits have been limited until now;
- Establish the DAP as a shared vehicle for collaborative change across partners and sectors.
- Mobilise additional resources, knowledge, skills and commitments for the highest priorities of the CDEP;
- Offer support to assist BHCC in over-viewing progress towards CDEP outcomes across partners and sectors, identifying weak areas and helping to address them.
- Give strategic advice and objective, independent feedback to BHCC Asset Management Board to assist with CDEP implementation as required.

## **5. Reporting**

- 5.1 The work of the DAP will be reported annually through an officer report that will be agreed by the relevant Cabinet Member. The DAP may also report on an ad hoc basis to the Asset Management Board with recommendations as necessary, the expectation being that if a CDEP-related item is on the agenda for the AMB, the DAP's views will have been sought in advance. Separate reporting to the AMB may not be necessary if the councillor members of the Asset Management Board are also members of the DAP.

## **6. Membership**

- 6.1 The Chair of the DAP will be the Chair of the Council's Asset Management Board, supported by 2 vice chairs to be selected from the DAP's membership, and representing different sectors. The Chair and 2 vice chairs are referred to collectively in these Terms of Reference as 'the Chairs Group'.

Membership of the Board shall consist of appointees from the following sectors. NB Substitutes will not normally be permitted given the complexity of the subject matter:

- 1) BHCC Members and officers
- 2) Organisational stakeholders
- 3) Farm tenants and independent agricultural experts
- 4) Community and voluntary Groups

These sectors will make up the core membership of the DAP. Make up of each of the sectors is as follows:

### BHCC Members

- 5 members (reflecting the political balance of the council), including the chair of the Asset Management Board. In cases where councillor members of the DAP are not also members of the AMB, there is an expectation that the former will fully brief the latter on DAP proceedings. Councillors who are not selected by their group to sit on the DAP shall be able to attend DAP meetings as observers.

### BHCC Officers

- Officers with responsibility for managing the downland estate and giving corporate advice including Property & Design, City Parks, Sustainability, Public Health, Sports & Leisure, Education and Planning

### Organisational stakeholders (including those with statutory advisory role)

One representative from each of:

- The Aquifer Partnership (TAP),
- South Downs National Parks Authority (SDNPA),
- The Living Coast (TLC)
- National Health Service (NHS)
- Sussex Wildlife Trust
- Brighton and Hove Food Partnership

### Farm tenants/agriculture

- Two representatives from those holding farm tenancies within the BHCC downland estate and other tenancies
- One independent agricultural expert

### Community Groups

- Brighton and Hove Estate Conservation Trust (1 representative)
- Brighton Downs Alliance (2 representatives)
- Trust for Developing Communities (1 representative)
- Brighton & Hove Archaeological Society (1 representative)
- Brighton & Hove Wildlife Forum (1 representative)
- Local Access Forum (1 representative)
- Local specialists / experts as set out below

- 6.2 Other relevant parties may be invited to participate in meetings on a meantime basis where particular areas of work would benefit from specialist input. Any additional individuals wishing to attend may do so as observers (at the reasonable discretion of the chair).

## **7. Quorum**

- 7.1 A minimum of ten people is required for Panel meetings to proceed provided each of the groups listed at 1) – 4) in paragraph 6 above is represented.

## **8. Meetings and ways of working**

- 8.1 DAP will meet at least 4 times a year. Meeting dates will be set annually to ensure optimal attendance and ensure coordination with other relevant meetings such as AMB.
- 8.2 The Chairs Group will be responsible for agreeing agenda items for DAP meetings.
- 8.3 The Asset Management Board and DAP Chairs Group will be supported by BHCC teams / staff/ officers and admin support.
- 8.4 Any DAP members identifying subjects for discussion at DAP meetings should contact either supporting officers from BHCC or members of the Chairs Group to add to agenda for a future meeting.
- 8.5 While the purpose of any potential items should be clearly stated, the DAP is not a decision-making body. It provides a consultative advisory input to the Council, which is responsible for all decision-making relating to the Downland. The purpose of the DAP is to enable to Council to seek the views of the wider community through the DAP's organisational stakeholders, farmers and community groups. Officers may be asked to provide context, but this is not the forum for officers or councillors to give their views.
- 8.6 BHCC officers may be asked to present input agreed by DAP to AMB.
- 8.7 DAP members will be invited to declare any conflicts of interest at the beginning of each meeting.
- 8.8 Where there is a discussion item on the DAP agenda that would benefit from expert input from organisations who are not DAP members, or from organisations not represented on DAP, DAP members may be invited to suggest people or organisations with relevant expertise. Any such request will be considered by the Chairs Group.
- 8.9 Task and Finish groups may be set up in between scheduled meetings to undertake specific pieces of work and present their findings to DAP.
- 8.10 Substitutes (whether of elected BHCC members or other representatives) will not normally be permitted due to the complexity of the subject matter and the sort of input required from all participants. With this in mind, there is an expectation that any representative who fails to attend a scheduled meeting three times or more shall be

replaced by an appointee from the same sector (farmers/institutional stakeholders/community groups).

**9. Review**

- 9.1 Membership will be reviewed annually by DAP from May 2024 to ensure the correct balance is achieved and to take account of unforeseen issues arising following agreement of the CDEP by BHCC and the SDNPA.
- 9.2 These terms of reference may be reviewed annually and changes will in any event be subject to approval by Audit, Standards and General Purposes Committee.

## **10. ORBIS PARTNERSHIP OVERSIGHT BOARD**

### **1. Purpose**

- i. To oversee and monitor the delivery of the Orbis Partnership for the benefit of each participating Council, and in particular to:
- ii. Monitor the performance of the partnership and seek assurance that Orbis is acting according to its mission and business plan and has the resources to do so, including oversight of the external contract performance of Orbis Services.
- iii. Provide constructive challenge to ensure Orbis remains fit for the future.

1.1 The board will provide an opportunity for members of the partner authorities to have oversight of the performance of the partnership which would otherwise need to be considered separately through sovereign policy committees or cabinet member meetings. This would be both administratively burdensome but would also mean there would be no opportunity for members to come together and jointly discuss and consider the effectiveness of the partnership. Formal decisions will still be required to go through sovereign processes.

### **2. Areas of focus**

- i) Monitoring performance compared to the business plan
- ii) Providing oversight of services provided by Orbis under external contract.
- iii) Reviewing the effectiveness of the Orbis Partnership.

### **3. Reporting**

The Orbis Partnership Oversight Board will report to the suitable Committee at each sovereign partner organisation as appropriate and with recommendations as necessary.

### **4. Membership**

Each Partner Council shall appoint two members to the Board in accordance with the governance arrangements of each Council.

The chair of the meeting shall be the member of the Council which is hosting the meeting virtually or physically.

### **5. Quorum**

The quorum for any meeting of the Board will be three members, provided that one member is in attendance from each Council.

**6. Meetings and ways of working**

The board will meet at least once per year. The board may hold additional meetings as it determines necessary.

Meetings may be held virtually or face-to-face. The virtual (or physical) location will be chaired/hosted on an alternate basis.

**7. Review**

These terms of reference may be reviewed and amended by sovereign organisations from time to time, subject to the agreement of all partners.

## **11. COMMUNITY SAFETY PARTNERSHIP BOARD**

### **1. Purpose**

The Community Safety Partnership Board is responsible for ensuring the statutory and other duties of the Community Safety Partnership Board are delivered effectively and efficiently by its Responsible Authorities and partners.

The overarching duty is to reduce crime and disorder, improve community safety and reduce re-offending in Brighton & Hove. This duty is set out in the Crime and Disorder Act 1998 and in subsequent guidance and legislation.

The Community Safety, Crime Reduction and Drugs Strategy is the city-wide strategic plan which sets out how that duty is delivered. The Community Safety Partnership Board will comply with the requirements of Brighton & Hove Connected and City Management Board as set out in the approved Protocols.

### **2. Status**

The Community Safety Partnership Board shall be an advisory board to the relevant Cabinet portfolio holder. The Board will not have Sub-Committee 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**

- Approve an annual strategic assessment of crime and disorder in Brighton & Hove;
- Ensure effective consultation with elected Members, local communities, communities of interest, residents and businesses on crime, disorder and safety concerns;
- Oversee effective support for the wide network of community-led forums and action teams which work within the Community Safety and Safe in the City Partnership, responding to their concerns and priorities;
- Approve the crime and safety priorities and delivery plans for inclusion within the three yearly Community Safety, Crime Reduction and Drugs Strategy, based on findings and recommendations from strategic assessments and consultation;
- Approve annual, pooled Partnership budgets to enable the crime, disorder and community safety priorities and action plans and those of substance misuse services to be commissioned and delivered in the most cost effective way;



- Approve performance indicators and targets and respond to quarterly and year end performance reports directing corrective action and interventions when necessary;
- Ensure compliance with section 17 of the Crime and Disorder Act 1998;
- Lead compliance with section 115 of the Crime and Disorder Act 1998 to ensure information is shared for the purpose of reducing crime and disorder;
- Oversee and receive progress reports from the Management Board of the Youth Offending Service and for youth crime prevention services;
- Oversee and receive progress reports from the Alcohol Programme Board;
- Oversee and receive progress reports for the Young People's Substance Misuse Service;
- Oversee and receive progress reports from the Joint Commissioning Group, the Harm Reduction Steering Group, other adult drugs services and multi-agency working groups;
- Support and jointly respond to the priorities and actions of the Local Children Safeguarding Board, the Adult Safeguarding Board and the Health and Wellbeing Board;
- Receive and respond to relevant reports from partnership steering groups, , Cabinet, council committees, city partnerships, and other relevant sources where appropriate;
- Respond to central government policy, calls for action and consultation where appropriate and required;
- Comply with and respond to all relevant inspections and audit processes.

#### **4. Reporting**

The Community Safety Partnership Board will report to the relevant Cabinet portfolio holder with recommendations as necessary.

#### **5. Membership**

Membership of the Board shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

#### **6. Meetings and ways of working**

- Quarterly meetings to be chaired by the Chief Executive of the Council. Named representative to be the Divisional Police Commander (Chief Superintendent) or Corporate Director of the city council who has the lead for Community Safety;

- Administration of the Safe in the City Partnership Board to be carried out by the Partnership Community Safety Team;
- Reports to be submitted to the Partnership Community Safety Team ten days before the date of the meeting and to be circulated to members 7 days before the meeting.

## **7. Review**

These terms of reference may be reviewed and amended by the Audit, Standards and General Purposes Committee from time to time.

## 12. BRIGHTON & HOVE CITY COUNCIL HOUSING AREA PANELS

### Purpose

Area based Panels consisting of ward councillors, tenants, and leaseholders of the city council to engage and consult tenants on strategic city wide and area-based housing issues and improvements on council land, funded by the Housing Revenue Account (HRA).

Panels will cover the following boundaries:

- East
- West
- Central
- North

Panels will not consider individual tenants' and leaseholders' issues. Tenants and leaseholders will be directed to other appropriate channels.

Panels will not consider individual leaseholders fees and charges related to planned and major works. Leaseholders will be directed to other appropriate channels.

### 1. Areas of responsibility

- a) To receive and provide comment, feedback and recommended actions on reports relating to the council's role and performance as a housing service.
- b) Issues for consideration will include the performance of housing services provided directly by the council and by contractors.
- c) Non housing issues will be referred to the appropriate council service, other agency, community forum or committee for consideration.
- d) Area Panel(s) may request time limited task and finish groups on persistent and/or key strategic city-wide or area-based issues, subject to available resources and competing priorities.

### 2. Budgets

- a) An annual Estates Development Budget (EDB) will be devolved to each Area Panel.
- b) There will be at least one specific Area Panel meeting each year for decisions on main EDB bids.
- c) Voting on main EDB bids is by tenants only and consultation of leaseholders where applicable.
- d) All EDB quick bids up to £1000 will be decided upon by the citywide resident EDB panel. This panel is made up of tenant representatives from each area who are elected through the Improvement and Empowerment Service Improvement Group.

### 3. Membership and participation

Membership and participation of each area panel is open to:

- a) All ward councillors whose constituency falls within the boundaries of the Area Panel.
- b) A representative from any tenants' and residents' association within the boundaries of the Area Panel.
- c) All council housing tenants who live within the boundaries of the Area Panel.
- d) All resident leaseholders of the council that live within the boundaries of the Area Panel.
- e) A Leaseholders Action Group representative that lives within the boundaries of the Area Panel.
- f) All tenants or leaseholders can submit a question to an Area Panel meeting. (See section 7 below for process).

### 4. Chairing

- a) All Area Panels will be co-chaired by a councillor and a representative of a Tenants and Residents Association.
- b) The councillor co-chair will be a councillor, whose ward falls within the boundaries of the Panel.
- c) Area Panel will elect the Councillor Co-Chair annually. The election to take place at the first Area Panel after Annual Council. . .
- d) The resident co-chair will be elected annually by the tenant association representatives.
- e) Co-chairs will chair meetings alternately unless otherwise mutually agreed between the co-chairs.
- f) Co-chairs will set the agenda for each meeting together.

### 5. Format of meetings

- a) All meetings will be hybrid.
- b) Council's Democratic Services will provide the secretariat for the meetings including but not exclusively the circulation of meeting invitations, agendas and associated papers including meeting any accessibility needs, creating and maintaining action logs and taking minutes of the meeting.
- c) The agenda, minutes and action log will be sent ten working days before the meeting.
- d) The agendas and minutes of the Panel (unless confidential) will be public documents published on the council's website.
- e) Agendas, minutes, and actions of Area Panel meetings will be provided to the co-chairs, all ward councillors, and the nominated representative of all tenants' associations in the area panel boundary.
- f) All reports and papers will be produced in an accessible format.

## 6. Frequency of meetings

- a) There will be four meetings of each panel per year.
- b) Special Area Panel meetings may be called by the co-chairs, the relevant Cabinet portfolio holder, or the Corporate Director Housing, Care and Wellbeing, if needed but only for exceptional and urgent business.
- c) Days and times of meetings will vary to maximise opportunities for participants attendance.

## 7. Submission of Residents Questions

- a) All tenants and leaseholders can submit a question for an Area Panel meeting providing it is in line with the purpose of an Area Panel.
- b) All submitted questions will be submitted, considered and prioritised at the Resident Only meeting.
- c) Any members of a Tenants and Residents Association or any council tenants and leaseholders can attend the resident only meetings.

## 8. Agenda Planning

Area Panel meeting agendas will follow a set format including covering the following areas:

- a) Reports on housing policy and performance of Housing.
- b) Reports from city-wide housing management groups, e.g., Senior Housing Action Group.
- c) Residents Questions identified at the Resident Only meetings that precede Area Panel meetings; with a maximum of five 3-Star questions per meeting.
- d) Presentations and reports from other services/groups funded by Housing Revenue Account.

## 9. Conduct

- a) All participants should share their views respectfully and treat all other participants with respect.
- b) All participants should recognise there are differing views and opinions expressed at the Area Panel and will look for a compromise and shared solutions.

If behaviour is repeatedly not following the above, then individuals may be asked to leave a meeting by the co-chairs.

## **13. SHOREHAM HARBOUR REGENERATION PROJECT**

**September 2011**

### **Memorandum of Understanding**

#### **Parties:**

Adur District Council  
Brighton & Hove City Council  
West Sussex County Council  
Shoreham Port Authority

#### **1. Introduction**

- 1.1 This Memorandum of Understanding (MOU) is made between the Shoreham Harbour Regeneration Project partners: Adur District Council; Brighton & Hove City Council; West Sussex County Council and Shoreham Port Authority. The principles set out in this MOU will be presented to respective Cabinets and the Port Board for adoption.
- 1.2 These undertakings do not include a specific financial commitment by any party.

#### **2. Purpose**

2.1 This MOU is intended to:

- provide guidance to elected Members, Port Board Members and senior officers
- ensure the plans and development are
  - (i) progressed in an open manner involving stakeholders
  - (ii) consistent with the policies of all three councils and the Port's Business Plan and
  - (iii) are an accurate reflection of the community's values.
- facilitate collaborative working and open dialogue between all parties to set out principles and objectives and agreed processes for achieving them.
- to clearly outline decision making arrangements

#### **3. Responsibilities**

3.1 All parties will:

- promote the aims of the Shoreham Harbour Regeneration Project through joint communication channels
- be open and transparent in mutual dealings with partners.

- ensure a 'no surprises' culture is promoted.
- engage the community in decisions which affect them
- work in partnership to realise development opportunities that accord with joint planning documents (particularly those relating to infrastructure and environmental improvements).

### 3.2 The councils will:

- utilise relevant planning processes and other regeneration strategies to provide a deliverable framework for action addressing land use, community, environment and associated infrastructure
- use interim and supplementary planning documents if required to support the aims of the project
- ensure the governance structure is reviewed on a regular basis
- provide staff resources to the project
- ensure a Project Plan is put in place to guide the development of the planning framework and implementation through the project's delivery units

### 3.3 The Port Authority will:

- share information with councils in relation to the implementation and delivery of the
- Shoreham Port Masterplan (subject to commercial confidentiality).
- share information at an early stage in relation to individual site opportunities and major investment.

## **4. Role of the Shoreham Harbour Joint Leaders Board**

4.1 The Board will consist of the Leaders of the three councils, the Chief Executive of Shoreham Port Authority, and a senior officer from each council or in each case their delegated representatives.

4.2 The Port Authority will act as a co-opted member as per the terms of current legislation governing joint committees and will sit on the Board in a non-voting capacity.

4.3 The role of the Joint Leaders Board is to:

- set and approve the strategic direction of the project, agree key strategy documents and approve the scope and outputs of the project
- work together to deliver the agreed vision
- commit ongoing staff time to help deliver the agreed strategy

- ensure that council Members and Shoreham Port Authority Board Members are kept informed of key developments through existing organisational structures
- provide advice to officers on joint funding requests above £50,000 and to oversee the management of the project budget. Joint funding is managed by Adur District Council as the Accountable Body working in partnership with Brighton & Hove City Council and West Sussex County Council. Funding is managed according to the current Scheme of Delegations in place for each local authority.
- manage and advise on strategic risks
- delegate delivery of the project on a month to month basis to the Shoreham Harbour Project Board and its delivery units as per the agreed project structure and through an agreed set of work programmes.



## **14. GREATER BRIGHTON ECONOMIC BOARD**

### **Establishment, Purpose and Form**

- 1.1 The Greater Brighton Economic Board (“The Board”) shall be established from the Commencement Date.
- 1.2 The over-arching purpose of the board is to bring about sustainable economic development and growth across Greater Brighton (‘the City Region’). To achieve this, the principal role of the Board is to co-ordinate economic development activities and investment at the regional level.
- 1.3 The Board comprises the Greater Brighton Economic Joint Committee (“GBEJC”), on which the local authorities will be represented; and the Greater Brighton Business Partnership (“GBBP”), on which the Coast to Capital Local Enterprise Partnership, business, university and further education sectors will be represented.
- 1.4 Meetings of the Board comprise concurrent meetings of GBEJC and GBBP.
- 1.5 GBEJC shall be a joint committee appointed by two or more local authorities represented on the Board, in accordance with section 120(1)(b) of the Local Government Act 1972.
- 1.6 The Board may appoint one or more sub-committees.
- 1.7 For the two years starting with the Commencement Date, the lead authority for the Board shall be Brighton & Hove City Council (“BHCC”), whose functions in that capacity shall include the provision of scrutiny (see paragraph 4.3), management of the call-in and review process (see paragraph 8), and the support detailed in paragraph 12.
- 1.8 Unless the Board resolves otherwise, before the start of the third year following the Commencement Date, and every two years thereafter, the Board shall review the lead authority arrangements and, subject to paragraph 1.9, invite each of the local authorities represented on the Board to submit an expression of interest in fulfilling the role of lead authority for the subsequent two year period. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.
- 1.9 Notwithstanding the appointment of a successor lead authority pursuant to paragraph 1.8, the incumbent lead authority may retain such of their Accountable Body functions as are necessary to enable that local authority to comply with its on-going commitments and liabilities associated with its Accountable Body status.

### **Interpretation**

- 1.10 In these Heads of Terms –

- i. 'Commencement Date' means 1<sup>st</sup> April 2014.
- ii. 'City Region' means the area encompassing the administrative boundaries of BHCC, Adur District Council, Worthing Borough Council, Lewes District Council, Mid Sussex District Council, Crawley Borough Council and Arun District Council; and 'regional' shall be construed accordingly;
- iii. 'economic development' shall bear its natural meaning but with particular emphasis given to :
  - Employment and skills;
  - Infrastructure and transport
  - Housing;
  - Utilisation of property assets;
  - Strategic planning;
  - Economic growth.
- iv. 'Accountable Body' means the local authority represented on the Board carrying out the function set out in paragraph 12.2.

### **Functions**

- 2.1 The Functions of the Board are specified in paragraph 3.2 below and may be exercised only in respect of the Region.
- 2.2 The functions referred to in paragraph 3.1 are as follows:
  - I. To make long term strategic decisions concerning regional economic development and growth;
  - II. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
  - III. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the region;
  - IV. To secure funding and investment for the Region;
  - V. To ensure delivery of, and provide strategic direction for, major projects and work stream enabled by City Deal funding and devolution of powers;
  - VI. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.
  - VII. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes; and for the

avoidance of doubt, no other expenditure shall be incurred unless due authority has been given by each body represented on the Board.

- 2.3 In discharging its function specified in paragraph 3.2 (viii) above, the Board shall-
- I. (save in exceptional circumstances) seek to invest funding on the basis of-
    1. Proportionality, by reference to the economically active demographic of each administrative area within the city Region;
    2. Deliverability;
    3. Value for money and return on investment / cost benefit ratio; and
    4. Economic impact to the City Region as a whole.
  - II. Delegate implementation of that function to the lead authority, who shall also act as Accountable Body in relation to any matters failing within that function.

#### **Reporting and Accountability**

- 3.1 The Board shall submit an annual report to each of the bodies represented on the Board.
- 3.2 The Greater Brighton Officer Programme Board shall report to the Board and may refer matters to it for consideration and determination.
- 3.3 The work of the Board is subject to review by an ad hoc joint local authority scrutiny panel set up and managed by the lead authority.

#### **Membership**

- 4.1 The following bodies shall be members of the Board:
- I. Brighton & Hove City Council
  - II. Adur District Council
  - III. Worthing Borough Council
  - IV. Lewes District Council
  - V. Mid-Sussex District Council
  - VI. Crawley Borough Council
  - VII. Arun District Council
  - VIII. University of Sussex
  - IX. University of Brighton
  - X. Further Education Representative
  - XI. Coast to Capital Local Enterprise Partnership
  - XII. Brighton & Hove Economic Partnership
  - XIII. Adur & Worthing Business Partnership
  - XIV. Coastal West Sussex Partnership
  - XV. South Downs National Park Authority

## XVI. Gatwick Airport Ltd

- 4.2 GBEJC shall comprise the bodies specified in paragraphs 5.1(i) to (vii); and GBBP shall comprise the bodies specified in paragraphs 5(viii) to (xvi).
- 4.3 Each of the bodies listed in paragraph 5.1 shall be represented at the Board by one person , save that BHCC shall, by reason of it being a unitary authority, be represented by two persons (as further specified in paragraph 5.4).
- 4.4 Each local authority member shall be represented at the Board by its elected Leader and, in the case of BHCC, by its elected Leader and the Leader of the Opposition.
- 4.5 Each business sector member shall be represented at the Board by the Chairman of that member or by a person nominated by the Board of that member.
- 4.6 Each university member shall be represented by a Vice Chancellor or Pro Vice-Chancellor of that university or by a person nominated by that university member.
- 4.7 Each further education member shall be represented by its Principal or the Chair of its Governing Body or by a person nominated by that further education member.

### **Chair**

- 5.1 The Chair of GBEJC shall, by virtue of their democratic mandate, be Chair of the Board
- 5.2 If the Chair of GBEJC is unable to attend a Board meeting, the Board shall elect a substitute from its local authority member representatives provided that no such member representative attending in the capacity of a substitute shall be appointed as Chair of GBEJC / the Board.
- 5.3 The Chair of GBEJC for its first year of operation shall be the Leader of BHCC
- 5.4 The Chair will be elected annually by members of the GBEJC. Election of the Chair will be conducted through a formal process performed by the Democratic Services Team of the Lead Authority. The elected Chair will be appointed at the first meeting of the Board in the new municipal year. A Chair may be re-elected but shall not serve as Chair for more than 4 years.

### **Voting**

- 6.1 Each person represents a member of GBEJC, and each person representing a member of the GBBP, shall be entitled to vote at their respective meetings.

- 6.2 Voting at each of the concurrent meetings of GBEJC and GBBP shall be by show of hands or, at the discretion of the chair, by any other means permitted by law, and voting outcomes reached at those meetings shall be on a simple majority of votes cast.
- 6.3 Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the Chair of GBEJC shall have a casting vote.
- 6.4 Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the motion/proposal/recommendation under consideration shall fall in relation of GBBP.
- 6.5 Where the respective voting outcomes of GBEJC and GBBC are the same, that shall be taken as the agreed Board decision and the Board may pass a resolution accordingly.
- 6.6 Where the respective voting outcomes of GBEJC and GBBP differ, the Board –
- I. May not pass a resolution relating to that matter; and
  - II. May refer the matter to the Chief Executive of the lead authority, who may consult with members of the Board or such other persons as are appropriate, with a view to achieving agreement on the matter between GBEJC and GBBP by discussion and negotiation.
- 6.7 Where, pursuant to paragraph 7.6(ii), agreement is reached the matter at issue shall be remitted to, and voted upon at, the next meeting of the Board.
- 6.8 Where, pursuant to paragraph 7.6(ii), no agreement is reached the motion/proposal/recommendation at issue shall fall.

### **Review of decision**

- 7.1 Decisions of the Board will be subject to call-in and review in the following circumstances:
- I. Where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was not to agree the recommendation.
  - II. Where a local authority voted against a recommendation at a GBEJC meeting, but the decision of the Board considered that the interests of the body they represent had been significantly prejudiced; or

- III. Where any local authority represented on the Board considered that the interests of the body they represent had been significantly prejudiced; or
- IV. Where any local authority represented on the Board considered that the Board had made a decision beyond its scope of authority.

- 7.2 The procedure for requesting, validation, and implementing a call-in and review is specified in Schedule 1.
- 7.3 Where a request for call-in is accepted, the Board decision to which it relates shall be stayed pending the outcome of the call-in.
- 7.4 Following call-in, the panel convened to review a Board decision may refer the decision back to the Board for re-consideration. Following referral, the Board shall, either at its next scheduled meeting or at a special meeting called for the purpose, consider the panel's concerns over the original decision.
- 7.5 Having considered the panel's concerns, the Board may alter its original decision or re-affirm it. Paragraph 8.1 shall not apply to the Board's follow-up decision. In consequence, the latter decision may be implemented without further delay.

#### **Substitution**

- 8.1 Subject to paragraph 9.2, representatives are expected to attend all meetings however, where a representative of a member of the Board is unable to attend a Board meeting, a substitute representative of that member may attend, speak and vote, in their place for that meeting.
- 8.2 A substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Board at the start of each municipal year.

#### **Quorum**

- 9.1 No business shall be transacted at any meeting of the Board unless at least one third of all member bodies are present, and both GBEJC and GPBBP are quorate.
- 9.2 Quorum for GBEJC meetings shall be three member bodies.
- 9.3 Quorum for GBBP meetings shall be three member bodies.

#### **Time and Venue of Meetings**

- 10.1 Ordinary meetings of the Board shall be convened by the lead authority and will rotate around the City Region.

- 10.2 The Chair of the Board may call a special meeting of the Board at any time, subject to providing members with minimum notice of two working days.

**Administrative, financial and legal support**

- 11.1 The lead authority shall provide the following support services to the Board:
- I. Administrative, as more particularly specified in the Memorandum of Understanding pursuant to paragraph 13;
  - II. Financial (including the Accountable body function specified in paragraph 12.2); and
  - III. Legal, comprising Monitoring Officer and Proper Officer functions in relation to GBEJC meetings.
- 11.2 The function of the Accountable Body is to take responsibility for the financial management and administration of external grants and funds provided to the Board, and of financial contributions by each member of the Board, as more particularly specified in the Memorandum of Understanding pursuant to paragraph 13. In fulfilling its role as Accountable Body, the lead authority shall remain independent of the Board.
- 11.3 Other members of the Board shall contribute to the reasonable costs incurred by the lead authority in connection with the activities described in paragraphs 12.1 and 12.2, at such time and manner as the Memorandum of Understanding shall specify.

**Memorandum of Understanding**

- 12.1 Members of the Board may enter into a memorandum of understanding setting out administrative and financial arrangements as between themselves relating to the functioning of the Board.
- 12.2 The memorandum may, in particular, provide for Arrangements as to the financial contributions by each member towards the work of the Board, including:
1. The process by which total financial contributions are calculated;
  2. The process for determining the contribution to be paid by each member;
  3. The dates on which contribution are payable;
  4. How the Accountable Body shall administer and account for such contributions;
  5. Functions of the Accountable Body; and
  6. The terms of reference for the Greater Brighton Officer Programme Board.

**Review and Variation of Heads of Terms**

- 13.1 The Board shall keep these Heads of Terms under review to ensure that the Board's purpose is given full effect.
- 13.2 These Heads of Terms may be varied only on a resolution of the Board to that effect, and subject to the approval of each body represented on the Board.



## **Schedule 1: Greater Brighton Economic Board: Call-in Protocol**

### **Requesting a Call-in**

- 1.1 Call-in is a process via which decisions made by the Greater Brighton Economic Board (GBEB) but not yet implemented can be challenged by GBEB members and referred to an independent 'call-in panel' for consideration.
- 1.2 Any decision made by the GBEB may be called-in up to five working days from the date of the meeting at which the decision was taken.
- 1.3 Call-in may triggered by any one or more of the constituent members of the GBEB. Such a request shall be made in writing to the Chief Executive of the lead Local Authority (i.e. the Local Authority responsible for GBEB administration at the time of the call-in request) and shall include the reasons for the request and any alternative decisions proposed.
- 1.4 A request for call-in may be made by any GBEB member local authority:
  - (i) where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was against the recommendation;
  - (ii) where a local authority voted against a recommendation at a meeting of the GBEJC but the decision of the Board was to agree the recommendation;
  - (iii) where any local authority represented in the Board considered that the interests of the body they represent had been significantly prejudiced; or
  - (iv) where any local authority represented in the Board considered that the Board had made a decision beyond its scope of authority.
- 1.5 The Chief Executive may refuse to accept a call-in request which in their opinion is frivolous, vexatious or defamatory or where no reason for the decision to be called-in is given.
- 1.6 Should the request be accepted, the Chief Executive will call-in the decision. This shall have the effect of suspending the decision coming into force and the Chief Executive shall inform the relevant decision-makers of the call-in. The Chief Executive shall then call a meeting of the GBEB call-in panel to scrutinise the decision.

- 1.7 The GBEB call-in panel must meet within seven working days of the Chief Executive accepting the call-in request. Should the call-in committee fail to meet within this period, or meet but not be quorate, then the original decision shall come into force at the expiry of the seven day period.

#### **The GBEB Call-in Panel**

- 2.1 The GBEB call-in panel shall include members representing each of the constituent members of the GBEB (i.e. both the Greater Brighton Economic Joint Committee and the Greater Brighton Business Partnership).
- 2.2 The GBEB call-in panel could potentially also include co-opted members from other bodies. Any decision on co-option would be made annually by the GBEB.
- 2.3 Each constituent member of the GBEB shall appoint a member to the GBEB call-in panel. No member of the GBEB call-in panel may also be a member or substitute member on the GBEB – GBEB call-in panel members should be independent of the GBEB to the degree that they have not as individuals been involved in the decision that they are being asked to consider as a call-in.
- 2.4 The Chair of the GBEB call-in panel shall be appointed annually by the GBEB.
- 2.5 Appointments to the GBEB call-in panel shall be annual.
- 2.6 Substitution is permitted on to the GBEB call-in panel. However, no substitute member may be or have been a GBEB member or substitute.
- 2.7 The GBEB call-in panel shall make decisions on the basis of a majority vote. If the vote is spilt then the panel Chair shall have a casting vote.

#### **Quorum**

- 2.8 To be quorate a meeting of the GBEB call-in panel shall require at least one third of members to be in attendance.
- 2.9 For the purposes of call-in no distinction shall be made between representatives from the members of the Greater Brighton Economic Joint Committee and representatives from the members of the Greater Brighton Business Partnership: all members of the call-in panel will vote together.

#### **Call-in meetings**

- 3.1 The GBEB call-in panel will consider call-in requests at a special call-in meeting. Typically, the call-in panel will hear from:

- a. the GBEB member who made the call-in request (where a request has been made by more than one member the Chair of the GBEB call-in panel will decide whether to take representations from all the signatories to the call-in request or to ask the signatories to make a single representation). The member(s) who requested a call-in will explain why they feel the original decision was unsound and will suggest an alternative decision.
  - b. the GBEB. The GBEB Chair (or another GBEB member or an officer supporting the GBEB at the request of the GBEB Chair) will explain why the original decision was made and will provide any additional information they feel is germane. Where the GBEB Chair is a signatory to the call-in request, then another GBEB member (or officer supporting the GBEB) shall attend the call-in meeting to represent the GBEB. This representative will be chosen by the Chief Executive of the lead authority, after discussion with GBEB members.
  - c. Other organisations, stakeholders or members of the public may be granted the right to make representations to the call-in panel at the discretion of the GBEB call-in panel Chair. However, in general the intention should be to re-examine the decision originally made not to hold a broader enquiry into the decision in question.
- 3.2 Call-in does not provide for the call-in panel to substitute its own decision for the original GBEB decision, but merely to refer the matter back to the GBEB. The GBEB can only be asked to reconsider any particular decision once.
- 3.3 In essence the call-in panel is simply tasked with deciding whether the decision in question should be referred back to the GBEB to be reconsidered. Therefore the only substantive decision the GBEB call-in panel can make is whether to refer the decision back to the GBEB or to let the original decision stand.
- 3.4 In deciding whether to refer a decision back to the GBEB, the call-in panel shall have regard to:
- Any additional information which may have become available since the original decision was made
  - The implications of any delay in implementing the original decision
  - Whether reconsideration is likely to lead to a different decision
  - The importance of the matter raised and the extent to which it relates to the achievement of the GBEB strategic priorities
  - Whether there is evidence that the decision-making rules in the GBEB constitution have been breached

- Whether there is evidence that the GBEB consultation processes have not been followed
  - Whether the decision taken is not in accordance with a policy previously agreed by the GBEB
  - Whether there might be an alternative way of dealing with the matter in hand short of referral back to the GBEB
- 3.5 If having scrutinised the decision, the GBEB call-in panel feels that the decision was seriously flawed, it may refer it back to the GBEB for reconsideration, setting out in writing the nature of its concerns.
- 3.6 Implementation of any decision referred back to the GBEB remains suspended until the GBEB has met to reconsider the matter. However, should the GBEB call-in panel choose not to refer the matter back to the GBEB for reconsideration then implementation may begin immediately following the call-in committee meeting.
- 3.7 The GBEB shall reconsider any matter referred back to it by the GBEB call-in panel either at its next scheduled meeting or at a special meeting called for the purpose. Having considered the concerns expressed by the GBEB call-in panel the GBEB is free to make any decision it chooses *including re-affirming its original decision*.

#### **Call-in and urgency**

- 4.1 The call-in procedure set out above shall not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interests of the GBEB or the general public across the 'Greater Brighton' region. The record of the decision, and notice by which it is made public, shall state if in the opinion of the GBEB the decision is an urgent one and therefore not subject to call-in. This is subject to the agreement of the Chief Executive of the lead authority.
- 4.2 Any decision exempted from call-in for reasons of urgency shall be communicated to the Chair of the GBEB call-in panel by the Chief Executive of the lead authority, together with an explanation as to why the decision has been deemed urgent. The intention is that urgency exceptions are used sparingly and only where there is an overriding reason to do so.

## **15. SUSSEX POLICE AND CRIME PANEL**

*[Note:- The Sussex Police and Crime Panel is a statutory Joint Committee of Sussex Local Authorities, established and maintained under section 28 and schedule 6 of the Police Reform and Social Responsibility Act 2011. The constitutional documents set out below have been approved by all the constituent authorities.]*

### **Constitutional Documents**

The Sussex Police and Crime Panel is a Joint Committee under section 101 and 102 of the Local Government Act 1972. Each of the 15 borough, county, district, and unitary authorities across Sussex shall appoint one member as its representative on the Sussex Police and Crime Panel and may nominate a single named substitute member. The term of office will be determined by a member's own Local Authority and membership of the Sussex Police and Crime Panel ceases if that member ceases to be a member of the appointing Local Authority. Two independent persons will also be co-opted to the Panel, with no provision for substitution. Their term of office shall be one year, renewable up to five years by the Panel. After this time the positions will be re-advertised. There is no maximum term of office for any member or co-opted member of the Panel.

The 15 Local Authorities making up the Sussex Police and Crime Panel and adopting these constitutional arrangements are:

Adur District Council  
Arun District Council  
Brighton and Hove City Council  
Chichester District Council  
Crawley Borough Council  
Eastbourne Borough Council  
East Sussex County Council  
Hastings Borough Council  
Horsham District Council  
Lewes District Council  
Mid Sussex District Council  
Rother District Council  
Wealden District Council  
West Sussex County Council  
Worthing Borough Council

In the event that a Local Authority fails to appoint a member by the required deadline, appointment of a member of that authority shall fall to the Secretary of State for the Home Department.

### **TERMS OF REFERENCE**

*[Note:- These Terms of Reference outline the statutory functions of the Panel contained in the Police Reform and Social Responsibility Act 2011.]*

The Panel will hold the elected Police and Crime Commissioner to account and will seek to work in a constructive manner with the post holder with a view to supporting the effective exercise of their functions within Sussex.

- 1.1 To review and make reports or recommendations on the draft police and crime plan, or draft variation, given to the Sussex Police and Crime Panel by the Police and Crime Commissioner which the Commissioner must take into account, and to publish the reports or recommendations.
- 1.2 To review, put questions to the Police and Crime Commissioner at a public meeting, and make reports or recommendations (as necessary) on the Commissioner's annual report, and to publish the reports or recommendations.
- 1.3 To hold a public confirmation hearing and review, make reports and recommendations (as necessary) in respect of proposed senior appointments (Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner) made by the Police and Crime Commissioner and to publish the reports or recommendations.
- 1.4 To hold a public confirmation meeting to review and make reports on the proposed appointment of the Chief Constable including, if necessary, the use of the power of veto by a two thirds majority of the current membership of the Panel and to publish the reports.
- 1.5 Upon receiving written notification from the Commissioner of their intention to call upon the Chief Constable to retire or resign, to make recommendations to the Commissioner as to whether or not such resignation or retirement should be called for.
- 1.6 To consult the Chief Inspector of Constabulary (where necessary) and hold a private meeting which the Chief Constable and Commissioner may attend to make representations about the requirement to resign or retire and to publish the recommendations made to the Commissioner.
- 1.7 To review and make reports and recommendations (as necessary) on the proposed precept including, if necessary, the use of the power of veto by a two thirds majority of the current membership of the Sussex Police and Crime Panel and to publish the reports or recommendations.
- 1.8 To review or scrutinise decisions or proposals made, or other action taken, by the Police and Crime Commissioner in connection with the discharge of the Commissioner's functions, which may be in the form of reports or recommendations to the Commissioner which must be published.

- 1.9 To fulfil functions in relation to complaints about the Commissioner on conduct matters, in accordance with the responsibilities accorded to the panel by the Police Reform and Social Responsibility Act 2011.
- 1.10 To appoint an Acting Police and Crime Commissioner if necessary, where the Commissioner is incapacitated, resigns or is disqualified or suspended.
- 1.11 To suspend the Police and Crime Commissioner if it appears to the Sussex Police and Crime Panel that the Commissioner has been charged in the United Kingdom, the Channel Islands or Isle of Man with an offence that carries a maximum term of imprisonment exceeding two years.
- 1.12 To delegate, to the extent that it wishes to do so and so far as permitted by law, areas of work to a sub-committee or working group.
- 1.13 To require the Police and Crime Commissioner and their staff to attend meetings to give evidence in accordance with statute when deemed necessary for the Panel to discharge its functions.
- 1.14 Following a requirement made by the Sussex Police and Crime Panel for the Police and Crime Commissioner to attend a meeting, it may request the attendance of the Chief Constable at that meeting to answer questions which the Panel feels are necessary for the discharge of its functions.
- 1.15 To require the Police and Crime Commissioner to respond in writing within a specific timescale to any report or recommendation made by the Sussex Police and Crime Panel to the Commissioner.
- 1.16 To undertake any other such functions as are conferred upon the Sussex Police and Crime Panel by the Police Reform and Social Responsibility Act 2011 and any subsequent regulations made under the Act.

## **SUSSEX POLICE AND CRIME PANEL ARRANGEMENTS**

*[Note:- These are the Sussex Police and Crime Panel Arrangements agreed by all the constituent authorities as required by paragraphs 3 and 24 of Schedule 6 of the Police Reform and Social Responsibility Act. The Arrangements may be modified with the agreement of all the constituent authorities.]*

### **Resources**

1. All Home Office funding for the Panel will be received and administered by the Host Authority. The Host Authority for the first full year will be West Sussex County Council.
2. The total costs of running the Sussex Police and Crime Panel shall be contained within the Home Office funding although any Local Authority may provide additional funding or other resources to support the work of the Sussex Police and Crime Panel.
3. An annual budget report shall be submitted to the Sussex Police and Crime Panel by the Host Authority.
4. Constitutional and other specialist support will be provided by the Host Authority, together with creation and maintenance of a website, issuing press releases (with the agreement of the Chairman), and administration of the payroll for member allowances. Additional services can be commissioned as needed, subject to funding being available. All constituent Local Authorities will be encouraged to provide a link from their websites to the Sussex Police and Crime Panel website.
5. The Host Authority will be responsible for the payment of travelling expenses of members of the Sussex Police and Crime Panel, either the price of a second class public transport ticket (receipts must be provided) or a car mileage rate at the level paid by the host authority to its own members for travel expenses. Additional expenses and allowances may be payable by a member's own authority. The Proper Officer of the Host Authority may, with the agreement of the Panel Chairman, authorise any Sussex Police and Crime Panel member to attend relevant conferences or training courses and for this to be paid for at the subsistence rates available from the host authority, within available funding.
6. The Host Authority will provide an attendance list at each meeting or informal meeting of the Sussex Police and Crime Panel or any Sub-Committees or Working Groups. All members of the Sussex Police and Crime Panel should sign the register when attending and this will be used to evidence travel expense claims.
7. The Host Authority will organise at least one training session on an annual/two yearly basis, to coincide with appointments to the Sussex Police and Crime Panel and will provide advice and guidance to any new member appointed.



8. Meetings may be held in any part of Sussex, but will usually be held at 10.30 a.m. at County Hall, Lewes. Meetings will be webcast when funding allows.

9. The Host Authority will be responsible for ensuring that agendas, summons and papers are sent out that comply with the requirements of the Local Government Act 1972. The notice of meeting and summons will be signed by the Proper Officer of the Host Authority.

10. The presumption is that all formal items will be considered in public except for those that meet the Part II confidentiality criteria provided in Section 100A of the Local Government Act 1972. Part I reports, agendas and minutes will be published on the dedicated webpage provided by the Host Authority, to which other Local Authorities are invited to provide a link.

11. The press and public may be excluded from any part of a meeting when the Sussex Police and Crime Panel passes a resolution to that effect, when it considers that exempt information may be given or discussed and that it considers the public interest in keeping the information out of the public domain greater than the public interest in disclosing it. A Part I summary of any such discussions shall be included in the minutes.

12. Members of the Sussex Police and Crime Panel are under an obligation not to disclose any confidential or exempt information that they obtain as a member of the Panel when it has been made clear to them that the information is not in the public domain.

13. Reports to the Sussex Police and Crime Panel must make reference to statutory or legal provisions to which the Panel must have regard.

#### **Additional Local Authority Members**

14a. Subject to the agreement of the Home Secretary, Brighton and Hove City Council – as a unitary authority – shall be granted one additional co-opted Local Authority seat on the Sussex Police and Crime Panel to address geographical imbalance. The nomination of a member for this seat by Brighton and Hove City Council shall, so far as possible, support the Panel in meeting the balanced appointment objective. This member of the Panel will have a one-year period of office.

14b. Subject to the agreement of the Home Secretary, an additional Local Authority member may be appointed from each of the county Councils on the agreement of the Sussex Police and Crime Panel, to address any perceived imbalance in political proportionality. This will be considered at the annual meeting. Such members of the Sussex Police and Crime Panel will have a one-year period of office.

15. Constituent Local Authorities will strive to maintain political proportionality of the Sussex Police and Crime Panel as far as is practicable and will review the proportionality of all members of the 15 Local Authorities on an annual basis, taking account of local authority elections across Sussex.

An additional appointed Local Authority member can be removed from office through a majority vote of the Sussex Police and Crime Panel present, provided the member of the Panel has been given no less than four weeks' notice of the proposal and has the opportunity to make representations to the Panel.

17. If an additional appointed member ceases to be a member of the Sussex Police and Crime Panel, the Panel will seek a replacement member from the same Local Authority for the remainder of the term.

### **Independent Co-opted members**

18. Two independent co-opted persons will be co-opted for a one year term, which can be renewed by the Sussex Police and Crime Panel annually for up to five years before the position must be re-advertised. They will have full voting rights. They may not be members of the constituent Local Authorities of the Panel. They will be appointed through public advert and interviews conducted by members of the Panel within arrangements agreed by the Panel.

19. An independent co-opted member can be removed from office through a majority vote of the Sussex Police and Crime Panel present, provided the member has been given no less than four weeks' notice of a proposal to remove and provided the member has an opportunity to make representations about the proposal.

20. If an independent co-opted member of the Sussex Police and Crime ceases to be a member through removal, resignation or some other means, the Panel will seek a replacement member through the process as described in paragraph 18 above. The new appointment will be for the remainder of the term.

### **Standards**

21. Members of the Sussex Police and Crime Panel, including independent co-opted members, will be bound by the code of conduct of the Host Authority.

### **Urgent Action**

22. If, in the view of the Host Authority's Proper Officer, a decision within the Sussex Police and Crime Panel's remit is sufficiently urgent that it cannot wait for the next meeting of the Panel and it is not in the public interest that the matter should be delayed, then the Host Authority's Proper Officer may decide the matter in consultation with Chairman of the Panel. The action taken will be reported to the next meeting of the Panel. This paragraph does not empower the Proper Officer to take any decision on a matter which is reserved by law to the Panel.

23. A register shall be maintained by the Host Authority of every decision taken under paragraph 22 above.

## **RULES OF PROCEDURE**

*[Note:- These Rules of Procedure were approved by the Council at the same time as the Panel Arrangements (above) and were in force when the Police and Crime Panel was first constituted. Subsequently, the Rules of Procedure may change as the Panel has power to make its own Rules of Procedure.]*

### **Chairmanship**

1. A Chairman and a Vice-Chairman will be elected annually, at the annual meeting in June. Nominations will be made at the meeting and voting will take place by a show of hands. A secret ballot can be requested by three members.

2. A Chairman can be removed from office through a majority vote of no confidence called by any member of the Panel.

3. Any vacancy occurring in the Chairmanship or Vice-Chairmanship through removal or resignation can be filled at any meeting of the Panel and will be effective until the next annual meeting of the Panel.

4. In the absence of both Chairman and Vice-Chairman, a Chairman for a single meeting will be appointed by a simple majority of votes.

### **Decision-making**

5. All decisions will be made by a simple majority of votes of members present unless otherwise specified by statute, the Sussex Police and Crime Panel Arrangements or these Rules of Procedure. The Chairman of the meeting will have a second or casting vote in the event of a tied vote. All other Panel members will have one vote. Voting will be by a show of hands.

6. Any member can ask for the way in which they voted to be recorded in the minutes.

7. A recorded vote shall be undertaken if requested by any member.

8. Any member can make a proposition or propose an amendment to a proposed resolution if backed by a seconder. Votes will be taken unless consensus is reached.

9. A meeting or debate can be adjourned at the request of the Chairman, including an adjournment of the meeting if the required quorum is not present.

10. The validity of a decision will not be affected by any vacancy in the Sussex Police and Crime Panel membership, provided that the quorum has been met.

11. The Panel will not usually review any decision it has taken during the six months following such decision.

### **Committee Procedures**

12. The quorum for the meetings of the Sussex Police and Crime Panel is 10 members.

13. At the Annual Meeting, the first item of business will be appointment of Chairman. The second item of business will be appointment of Vice-Chairman. Items will then follow the pattern for ordinary meetings set out below.

14. At ordinary meetings of the Sussex Police and Crime Panel, the first item of business will usually be declaration of interests.

15. The second item of business at ordinary meetings of the Panel will be the approval of minutes, to be signed by the Chairman. No discussion will take place about the minutes other than on their accuracy.

16. An item for urgent matters will appear on each agenda. Urgent matters will be taken at the discretion of the Chairman when it appears that a matter is so urgent that it cannot wait until the next meeting of the Sussex Police and Crime Panel.

17. The Sussex Police and Crime Panel will hold an annual public meeting to scrutinise the Commissioner's annual report. Business will follow that of an ordinary meeting, but with a public question time immediately following the approval of the minutes. The maximum time for the question time shall be 45 minutes unless the Panel agrees to an extension.

18. Written questions from the public can be submitted two weeks in advance of the published date of the annual public meeting or any ordinary meeting of the Sussex Police and Crime Panel, for which the Commissioner or Panel Chairman will be invited to provide a written response by noon on the day before the meeting. The response will be circulated to Panel members and the questioner.

19. A special meeting of the Sussex Police and Crime Panel can be convened at the request of the Chairman or on the request of one third of the members of the Panel, providing that proper notice can then be given. One use of this provision may be a confirmation hearing for a proposed appointment by the Commissioner.

20. Sussex Police and Crime Panel business will be indicated on the agenda, but the order of business can be varied at the Chairman's discretion.

21. The Host Authority will work with the Chairman in advance of meetings to identify items for the agenda and in setting the order of the business, including issues of confidentiality.

22. Any member of the Sussex Police and Crime Panel may give notice of an item to be included on the agenda provided it is relevant to the business of the Panel, is agreed by the Chairman and is no less than eight working days in advance of the meeting.

### **Conduct of Meetings**

23. On each item, the Chairman will invite members to speak in turn.

24. Any member speaking will be silent at the request of the Chairman.

25. Following a warning from the Chairman to a member about disruptive behaviour, the Chairman may ask the Sussex Police and Crime Panel to agree that the member no longer be heard if the behaviour continues.

26. The Chairman may order the removal of disruptive members of the public from a meeting, or clear the public gallery to enable Sussex Police and Crime Panel business to continue.

27. All mobile phones and other communication devices must not disrupt Sussex Police and Crime Panel meetings.

28. No visual or sound recording may be taken without the permission of the Chairman in advance of the meeting.

### **Sub-Committees and Working Groups**

29. The Sussex Police and Crime Panel is empowered to establish Sub-Committees to fulfil any of its functions except those that by law may not be delegated. Sub-Committees may not co-opt members.

30. The Sussex Police and Crime Panel is empowered to establish time-limited informal working groups that can undertake proactive work on the initiative of the Panel or at the request of the Police and Crime Commissioner, with the agreement of the Panel. The working groups will be flexible and informal, but must report back to a formal, public meeting of the Panel. A Working Group may co-opt additional members, who will be able to claim travel expenses within available resources.

31. Any Sub-Committee or Working Group established will have the discretion to appoint its own chairman.

### **Relationship with Police and Crime Commissioner**

32. The Panel will hold the elected Police and Crime Commissioner to account and will seek to work in a constructive manner with the post-holder.

33. The Police and Crime Commissioner will have a standing invitation to attend all meetings of the Panel which may be withdrawn on any occasion at the discretion of the Chairman. The Commissioner's staff may also be invited by the Chairman to attend appropriate meetings of the Sussex Police and Crime Panel, at the discretion of the Commissioner. The Panel may, however, require the Commissioner to attend for specific items.

34. The Police and Crime Commissioner may invite the Sussex Police and Crime Panel to undertake scrutiny of any issue within their remit, but it will be for the Panel to decide whether it will accept any such request.

35. The Sussex Police and Crime Panel may require certain reports from the Police and Crime Commissioner in accordance with statute, but may also request other reports from the Commissioner that it considers necessary in order to effectively undertake its business. The Commissioner usually will be given at least three weeks' notice, but a report may be requested at shorter notice in cases of urgency.

36. In the event of the Sussex Police and Crime Panel receiving a complaint about the conduct of the Police and Crime Commissioner, the issue will be examined by the Proper Officer of the Host Authority to establish that the complaint falls within the remit of the Panel. The Panel will establish a Sub-Committee to consider complaints and to determine whether and through what mechanism any particular complaint should be investigated. Any complaint referred for investigation shall be considered by the same or a differently constituted sub-committee of the Panel using the hearing procedures of the Host Authority's standards regime.

#### **Other relationships**

37. The Sussex Police and Crime Panel will seek to avoid duplication of the work of Crime and Disorder Scrutiny Committees in its constituent authorities. The role of the Panel is to scrutinise the Police and Crime Commissioner and not the Responsible Authorities as defined by the Crime and Disorder Act 1998, including Sussex Police and local authorities.