

<b>Subject:</b>	<b>Constitutional Matters</b>		
<b>Date of Meeting:</b>	<b>20<sup>th</sup> June 2012</b>		
<b>Report of:</b>	<b>Monitoring Officer</b>		
<b>Contact Officer:</b>	Name: <b>Mark Wall</b>	<b>Tel: 29-1006</b>	
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<b>Key Decision:</b>	No		
<b>Wards Affected:</b>	All		

**For General Release****1. SUMMARY AND POLICY CONTEXT**

- 1.1 To provide information on the committee's terms of reference and related matters including the appointment of its urgency sub-committee.

**2. RECOMMENDATIONS**

- 2.1 That the committee's terms of reference, as set out in Appendix A to this report, be noted;
- 2.2 That the establishment of a Housing Management Consultative Sub-Committee with the terms of reference as detailed in appendix B to the report be approved; and
- 2.3 That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Council meeting on 26 April 2012 agreed the new constitution for the City Council. The new constitution came into force at the conclusion of the Annual Council meeting on 17 May.
- 3.2 Article 6 of the constitution, incorporates a schedule of all the Committees/Sub-committees established in the new constitution together with a summary of their respective functions.

**The Housing Committee – Terms of Reference**

- 3.3 The terms of reference of the Housing Committee are set out in the new constitution. This Committee has overall responsibility for the Council's housing functions including: Council housing; private sector housing; strategic

housing including the housing investment program; homelessness and allocations; tenancy relations; housing loans and grants and has responsibility for housing related support services.

- 3.4 These terms of reference should be read in the context of the 'Introduction and General Delegations' included in the Scheme of Delegations to Committees and Sub-Committees at part 4 of the constitution.

### **Membership**

- 3.5 The membership of the committee is set at 10 Members of the council.
- 3.6 The arrangements for substitute Members to attend meetings of Committees/Sub-Committees, as set out in the Council Procedure Rules 18 to 24, apply to meetings of the Housing Committee.

### **Programme Meetings**

- 3.7 Ordinary meetings of the Housing Committee are scheduled to take place on the following dates during 2012/13:

Wednesday 20 June 2012  
Wednesday 26 September 2012  
Wednesday 14 November 2012  
Wednesday 16 January 2013  
Wednesday 6 March 2013  
Wednesday 1 May 2013

- 3.8 Meetings of the Committee will normally be held at Hove Town Hall and will start at 4.00 p.m.

### **Urgency Sub-Committee**

- 3.9 The Constitution states that 'each Committee of the Council except the Audit & Standards Committee may appoint an Urgency Sub-Committee to exercise its powers. The Membership of such Urgency Sub-Committee shall consist of the Chair of the Committee, and two other Members nominated by the Group Leader or Leaders as appropriate to meet the requirements for the allocation of seats between political groups. Under current allocations this would mean an urgency sub-committee will consist of one Member from each of the three political groups on the Council.
- 3.10 Such Urgency Sub-Committees may exercise their powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee. Every decision of each Urgency Sub-Committee shall be reported for information to the next ordinary meeting of the Committee as appropriate.'

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 All Members considered and approved the new constitution on the 26<sup>th</sup> April 2012.

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

##### Financial Implications:

- 5.1 There are no specific financial implications arising from this report. It is expected that the overall effect of the introduction of the new constitution will be cost neutral.

*Finance Officer Consulted: Name Anne Silley Date: 23/05/12*

##### Legal Implications:

- 5.2 The Council's constitution complies with the requirements of the Localism Act 2011, the Local Government Act 2000, the Local Authorities (Constitutions) Direction and relevant guidance.

- 5.3 There are no adverse Human Rights Act implications arising from this report.

*Lawyer Consulted: Elizabeth Culbert Date: 23/05/12*

##### Equalities Implications:

- 5.4 There are no equalities implications arising from the report.

##### Sustainability Implications:

- 5.5 There are no sustainability implications arising from the report.

##### Crime & Disorder Implications:

- 5.6 There are no crime & disorder implications arising from the report.

##### Risk and Opportunity Management Implications:

- 5.7 The provision of this pay policy statement provides greater transparency to enable the public to understand and challenge local decisions of pay and reward of the council's workforce.

##### Public Health Implications:

- 5.8 There are no public health implications arising from the report.

##### Corporate / Citywide Implications:

- 5.9 There are no corporate or city wide implications arising from the report..

#### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The council's constitution provides for the appointment of the sub-committees and urgency sub-committees and it is for the Committee to determine this action and it could decide not to make such appointments. However, this would be contrary to the wishes of the council and is not therefore regarded as a viable alternative option.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The recommendations are being put forward in line with the requirements of the constitution.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. (A) Economic Development & Culture Committee Terms of Reference.
2. (B) Housing Management Consultation Sub-Committee Terms of Reference.

#### **Background Documents**

1. The Constitution

## HOUSING COMMITTEE

### Explanatory Note

This Committee has overall responsibility for the Council's housing functions, including Council housing, homelessness, allocations and standards of housing in the area.

### Delegated functions

1. To discharge the Council's functions as a housing authority and, without prejudice to the generality of this paragraph, to discharge the specific functions set out in the following paragraphs.

2. **Strategic and Private Sector Housing**

To discharge the Council's functions in relation to:

- (a) The Council's housing strategy;
- (b) Homelessness and the allocation of housing;
- (c) Private sector housing, including taking action to remedy overcrowding, disrepair, unfitness and statutory nuisances; to promote fire safety in private sector housing and the Council's functions in relation to houses in multiple occupation;
- (d) Tenancy relations and the provision of housing advice;
- (e) Housing loans and grants.

3. **Housing Landlord Functions**

To discharge the Council's functions as a housing landlord including the management of property within the Housing Revenue Account and associated properties.

4. **Housing Related Support Services**

To exercise the Council's functions for the commissioning of housing related support services.

## **HOUSING MANAGEMENT CONSULTATIVE SUB-COMMITTEE**

### **Explanatory Note**

This is a Sub-Committee of the Housing Committee. The Sub-Committee will act in a consultative capacity in the discharge the Council's functions as a housing landlord, including residential leases granted by the Council. The Sub-Committee will include non-voting tenant representatives.

### **Delegated functions**

#### **1. Tenant Consultation**

- (a) To manage and supervise the Council's tenants participation scheme and such other consultation with tenants as may be necessary;
- (b) To consider reports from officers and presentations received through the tenants' consultation scheme, to advise and to make recommendations to the appropriate Committee.