

**Council**

28 March 2013

**Agenda Item 110**

Brighton &amp; Hove City Council

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

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

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

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

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**Wards Affected:** All

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

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

**Recommendation:**

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

## POLICY &amp; RESOURCES COMMITTEE

4.00 pm 21 March 2013  
COUNCIL CHAMBER, HOVE TOWN HALL

## DRAFT MINUTES

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

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

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

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

