

**Subject:** Extract from the proceedings of the Special Policy & Resources Committee meeting held on the 28 April 2016 – Review of the Council's Constitution 2016

**Date of Meeting:** 12 May 2016

**Report of:** Head of Legal & Democratic Services & Monitoring Officer

**Contact Officer:** Name: **Ross Keatley** Tel: **29-1064**  
E-mail: [ross.keitley@brighton-hove.gov.uk](mailto:ross.keitley@brighton-hove.gov.uk)

**Wards Affected:** All

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

To receive the report referred from the Policy & Resources Committee for decision.

**Recommendations:**

- (1) That the following proposed changes to the Council's constitution as set out in paragraph 4 and Appendix 1 be agreed:
  - (the discontinuance of the Overview & Scrutiny Committee and the establishment of a Health Overview and Scrutiny Committee, including the changes agreed by the Policy & Resources Committee);
  - paragraph 7 and Appendix 3 (review of Contract Standing Orders);
  - paragraph 8 and Appendix 4 (review of the Council Procedure Rules);
  - the renaming of the Policy & Resources Committee as the Policy, Resources and Growth Committee and
  - the establishment of Lead Member role for Planning Strategy as set out in paragraph 9 of the report.
- (2) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.

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

**4.00pm 28 APRIL 2016**

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

**MINUTES**

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

**PART ONE**

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

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

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

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

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

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

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

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

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

**167.13 RESOLVED:**

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

**167.14 RESOLVED TO RECOMMEND:**

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

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

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