

COUNCIL

30 April 2009

Agenda Item 85

Brighton & Hove City Council

EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE HELD ON THE 10 MARCH 2009

Subject:	Six Month review of the Constitution		
Date of Meeting:	30 April 2009 Cabinet 23 April 2009		
Report of:	Director of Strategy and Governance		
Key Decision:	No		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

FOR GENERAL RELEASE

GOVERNANCE COMMITTEE

4.00pm 10 MARCH 2009

COMMITTEE ROOM 1
HOVE TOWN HALL

MINUTES

Present: Councillor Ann Norman (Chairman); Councillor Simpson (Deputy Chairman), Councillors Mrs Brown, Kennedy, Mears, Morgan, Oxley, Simson, Taylor and Watkins.

*80. SIX MONTH REVIEW OF THE CONSTITUTION

- 80.1 The Committee considered a report of the Director of Strategy & Governance, which detailed the outcome of the six month review of the Council's Constitution and put forward a number of amendments for consideration resulting from the review (for copy see minute book).
- 80.2 The Head of Law introduced the report and explained the process for the review and outlined the feedback from the various consultees and the proposed amendments to the constitution that resulted from the review. He stated that should the committee be minded to accept the proposed changes, a report would be submitted to the council in April

with a view to the changes being implemented with effect from the date of Annual Council in May.

- 80.3 Councillor Kennedy expressed concern over the figure of £1m which was proposed as the level to which the Cabinet Member for Central Services could approve the acquisition or disposal of properties held centrally or by service areas.
- 80.4 Councillor Morgan referred to paragraph 4.3.2 and suggested that any report should be considered by the Overview & Scrutiny Commission in the first instance with its views/recommendations then put to the Cabinet.
- 80.5 The Head of Law stated that the level of delegation to Cabinet Members was within the Leader's power to determine as the matter was an executive function. The proposed changes to portfolio of the Cabinet Member for Central Services were being reported to the Governance Committee in accordance with the Constitution, and the committee could put forward its views to the Leader/Cabinet for consideration. He noted that the figure of £1m was a maximum and that it was likely any matter of significance or with corporate implications would be referred to the Cabinet for determination rather than being decided by the Cabinet Member. This had proved to be the case with other Cabinet Member portfolios. He also noted that in order for any authority to be given both conditions outlined in the delegations would have to be met.
- 80.6 The Director of Strategy & Governance stated that the intention was for a report to be made to the Overview & Scrutiny Commission and to then report its views to the Cabinet.
- 80.7 Councillor Watkins referred to the City Inclusion Partnership and expressed concern over the proposed move away from the council in terms of its reporting lines, as he felt that the partnership was too large a body to enable communities of interest to feel a part of the process. He believed that the previous Equalities Forum had worked well and a similar body was required to fill the gap that had been created with the establishment of the partnership.
- 80.8 Councillor Simson noted the comments and stated that she believed the Equalities Coalition would be able to fulfil the role and enable those interest groups to be a part of the consultative process and feed into the work of the partnership. She suggested that there was a need to give the new arrangements time to bed in and see how things progressed.
- 80.9 Councillor Oxley stated that there was a need to keep in mind why the City Inclusion Partnership had been established and to enable it to develop and build working relations. A review could then be undertaken and the need for an internal forum considered in due course.

80.10 The Director of Strategy & Governance stated that the role of partnerships came under the remit of the Local Strategic Partnership (LSP), hence the need to make the change. However, the situation could be included in the 12-month review of the constitution if there were any on-going concerns.

80.11 **RESOLVED –**

- (1) That the responses received to the invitation for feedback on the sixth month review of the Constitution be noted;
- (2) That the proposals set out at paragraph 4 of the report, save those reserved to Full Council for decision at (3) below, be recommended to the Cabinet for adoption;
- (3) That the proposals for amendments to the Constitution as set out in paragraphs 4.2, 4.3, 4.4.4, 4.4.6, 4.4.7 and 4.4.9 of the report be recommended to the 30 April Council meeting for approval;
- (4) That the Head of Law be authorised to make the necessary amendments to the Constitution to reflect the above proposals as approved by the relevant body and for those amendments to come into effect from the date of Annual Council, (14 May 2009).

