

**BRIGHTON & HOVE CITY  
ANNUAL  
COUNCIL MEETING**

**4.30PM 18 MAY 2017**

**COUNCIL CHAMBER, BRIGHTON TOWN HALL**

**AGENDA**



**Brighton & Hove  
City Council**

# Council Meeting

Title:	<b>Annual Council</b>
Date:	<b>18 May 2017</b>
Time:	<b>4.30pm</b>
Venue	<b>Council Chamber, Brighton Town Hall</b>
Members:	<b>All Councillors</b> You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Rev Anthea Ballam
Contact:	<b>Mark Wall</b> Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	<p><b>Public Involvement</b> The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.</p> <p>Please note that the Public Gallery is situated on the second floor of the Town Hall. We have made a number of adjustments to make the venue as accessible as reasonably possible.</p> <p>If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting to discuss your access requirements. We can then work with you to enable your attendance and also to ensure your safe evacuation from the building, in the event of an emergency.</p>
	The Town Hall has facilities for disabled people including a lift and wheelchair accessible WCs. In the event of an emergency evacuation there is a special lift which can be used as part of a managed evacuation to assist disabled people. Please refer to the Access Notice in the agenda below.
	An infra-red hearing enhancement system is available within the council chamber to assist hard of hearing people. Headsets and neck loops are provided. If you require any further information or assistance, please contact the receptionist on arrival.

*This Agenda and all accompanying reports are printed on recycled paper*

## AGENDA

### 1 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

### 2(A) MAYORAL REPORT 2016-17

To Follow

Report of the Chief Executive (copy to follow).

Contact Officer: Mark Wall  
Ward Affected: All Wards

Tel: 01273 291006

### 2(B) MAYOR'S THANKS & PRESENTATIONS

The Mayor will give thanks for his year in office and make some presentations.

### 3 ELECTION OF THE MAYOR OF BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2017/18

The Mayor will seek nominations for the new Mayor for the 2017/18 Municipal Year.

### ADJOURNMENT

A short adjournment will now take place to allow for the robing of the new Mayor.

### 4 VOTE OF THANKS TO THE RETIRING MAYOR

The Mayor will call on Councillor Phelim Mac Cafferty to move a vote of thanks to the retiring Mayor.

## COUNCIL

### 5 APPOINTMENT OF THE DEPUTY MAYOR FOR BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2017/18

The Mayor will move the appointment of the Deputy Mayor for 2017/18.

### 6 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

### 7 APPOINTMENT OF THE LEADER OF THE COUNCIL FOR 2017/18

The Mayor will seek nominations for the appointment of the Leader of the Council for 2017/18.

### 8 APPOINTMENTS FOR 2017/18

The Mayor will move the following appointments:

- (a) To approve the appointment of the Deputy Leader of the Council:  
*Councillor Mitchell*
- (b) To appoint the Leader of the Official Opposition:  
*Councillor Tony Janio.*
- (c) To note the appointments to the following positions as agreed by the respective Groups represented on the Council:
  - (i) Leader of the Labour & Co-operative Group:  
*Councillor Warren Morgan*
  - (ii) Deputy Leaders of the Labour & Co-operative Group  
*Councillor Mitchell*  
*Councillor Hamilton (Finance)*
  - (iii) Leader of the Conservative Group:  
*Councillor Tony Janio*
  - (iv) Deputy Leaders of the Conservative Group  
*Councillor Bell*  
*Councillor Wares*
  - (v) Convenor of the Green Group:  
*Councillor Mac Cafferty*
  - (vi) Deputy Convenors of the Green Group:  
*Councillor Deane*  
*Councillor tbc*

### 9 REVIEW OF POLITICAL BALANCE 2017/18

1 - 8

Report of the Chief Executive (copy attached).

Note: the various appendices referred to in the report will be circulated as part of an addendum to the agenda as confirmation of various appointments was unavailable at the time of publication.

## COUNCIL

Contact Officer: Mark Wall  
Ward Affected: All Wards

Tel: 01273 291006

### 10 CLOSE OF MEETING

The Mayor will close the meeting.

#### **PUBLIC INVOLVEMENT**

Provision is made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through [www.moderngov.co.uk](http://www.moderngov.co.uk)

We can provide meeting papers in alternate formats (including large print, Braille, audio tape/disc, or in different languages). Please contact us to discuss your needs.

#### **WEBCASTING NOTICE**

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email [mark.wall@brighton-hove.gov.uk](mailto:mark.wall@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk).

#### **ACCESS NOTICE**

The public gallery to the council chamber – which is on the second floor – is limited in size but does have 3 spaces designated for wheelchair users. There is a lift to the second floor and an automatic door and ramped access to the public gallery. There is a wheelchair

## COUNCIL

accessible WC close by. The seated spaces available in the gallery can be used by disabled people who are not wheelchair users, but able to use bench style seating.

The Town Hall has a specially designed lift that can be used in the event of an emergency evacuation. The size of the refuge areas (in the fire protected areas where people unable to use the stairs will wait to be assisted from the building via the lift), will accommodate 2 wheelchair users and several standing users.

If the public gallery is full, Committee Room 1 on the ground floor can be used. This is an inclusive space with video conferencing facilities and AV links to the council chamber, automatic doors, level access, its own step-free fire escape, and nearby WC facilities including wheelchair accessible provision. From this room you can watch the meeting and take part in proceedings, for example if you have submitted a public question.

Please inform staff on Reception if you have any access requirements so that they can either direct you to the public gallery, or to the video-conferencing room as appropriate.

**We apologise for any inconvenience caused**

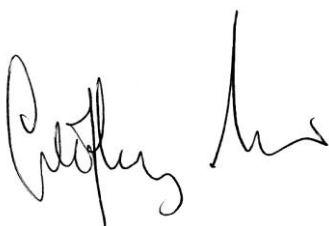
### **FIRE / EMERGENCY EVACUATION PROCEDURE**

**If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:**

- **You should proceed calmly; do not run and do not use the lifts;**
- **Do not stop to collect personal belongings;**
- **Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and**

**Do not re-enter the building until told that it is safe to do so.**

Date of Publication - Wednesday, 10 May 2017



Chief Executive  
Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ

18 May 2017

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Review of Political Balance 2017/18</b>		
<b>Date of Meeting:</b>	<b>18 May 2017</b>		
<b>Report of:</b>	<b>Chief Executive</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Wall</b>	<b>Tel:</b> 01273 291006
	<b>Email:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT:**

- 1.1 The Council is required at, or as soon as practicable after, each Annual Meeting of the Council to review the allocation of seats to political groups.
- 1.2 The purpose of this report is to appoint and/or re-appoint the Committees, Sub- Committees, Joint Committees, Boards, Forums and Panels of the Council and membership thereof and to appoint council representatives to various outside bodies.

**2. RECOMMENDATIONS:**

- 2.1 That the Council appoints/re-appoints its committees with the sizes and allocation of seats between political groups as set out in Appendix 1 to the report (attached);
- 2.2 That the allocation of seats as detailed in the report and in Appendix 2 (to be circulated separately) to the report be approved;
- 2.3 That in regard to 2.1 above, and paragraphs 3.5-3.6 of the report; the council note and agree to the change of name for the Tourism, Development & Culture Committee from the Economic Development & Culture Committee;
- 2.4 That having received nominations to the Committees from the 3 political groups, as detailed in Appendix 2 to the report, (to be circulated separately), such nominations be agreed and the committee places filled accordingly;
- 2.5 That those Members listed as Chair, Deputy Chair and Opposition Spokesperson of the respective committees and sub- Committees in Appendix 2 (to be circulated separately) be appointed to those positions;
- 2.6 That an urgency sub-committee for each committee be appointed in accordance with Procedure Rule 22 (such committee being politically balanced but not included in the total number of seats for the purpose of allocating seats);
- 2.7 That having regard to 2.2. above, it be agreed that for the purpose of enabling meetings of the Personnel Appeals Panel to be convened without

disproportionate difficulty, the make-up of such panels need not be politically proportionate, although every effort will be taken to achieve it and the Council further agrees:

- (i) Although the Panel has the Members referred to in Appendix 2 as its standing Members, the Council agrees that, where any of the 3 Members is not available, any Member of the Council who has received appropriate training shall be eligible to sit on the Panel;
  - (ii) That the Head of Democratic Services be authorised to set up the Panel, as and when needed with the permanent Members or, where any of them is not available, by including any other eligible Member of the Council, having regard to the need, where possible, to secure cross party representation;
  - (iii) The above arrangements, and those set out in paragraph 2.5 above, are intended to operate as "alternative arrangements" pursuant to section 17 of the Local Government & Housing Act 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990.
- 2.8 That the various Lead Members' roles and the designated Members listed against those roles as detailed in Appendix 3 to the report (to be circulated separately), be agreed; and
- 2.9 That Council appoints Members/representatives to various bodies listed in Appendix 4 (to be circulated separately).

### **3. CONTEXT / BACKGROUND INFORMATION:**

- 3.1 The political composition of the Council is Labour & Co-operative (22 Members), Conservative (20 Members), Green (11 Members) with 1 Independent Member. Section 15(1) of the Local Government & Housing Act 1989 requires the Council to review the representation of the different political groups on committees and sub-committees:
- At, or as soon as practicable after, the Annual Meeting of the Council or,
  - Where notice is received of a change in the composition of political groups.
- 3.2 The Chief Executive is under a duty; whenever such a review takes place, to submit a report to the Council showing what allocation of seats would in his opinion best meet the requirements of Section 15 of the 1989 Act.
- 3.3 The Council's duty to determine the allocation of seats is prescribed by Section 15 of the Local Government & Housing Act 1989 (specifically sub-sections (3) to (5)). These do not impose any specific requirement on the Council to consult the political groups as to which committee seats should be allocated to which group – this only applies to the actual appointment of Members to particular seats once they are allocated to political groups.
- 3.4 It is clearly preferable if all Groups have an agreed position as to which committee allocations are to be adjusted, provided that the agreed position does not conflict with the Council's duty, which is "to make only such determinations as



give effect, so far as reasonably practicable, to the principles specified in sub-section (5).”

3.4.1 In summary, these principles of determination (“principles”), are that:

- (a) All seats are not allocated to the same Group,
- (b) The majority of the seats go to the Group (if any) which has an overall majority on the Council (i.e. more than 27 seats),
- (c) Subject to the above two principles, that the number of seats on the total of all the committees/sub-committees allocated to each Group bears the same proportion to the proportion on the Full Council, and
- (d) Subject to (a) and (c), that the number of seats on each committee/sub-committee allocated to each Group bears the same proportion to the proportion on the Full Council.

#### Tourism Development & Culture Committee

3.5 The Leaders Group have given consideration to the role of the Economic Development & Culture Committee and following discussions felt that to better reflect the importance of the tourist industry to the economy of the city; the committee should change its name to the Tourism, Development & Culture Committee.

3.6 The Leaders Group therefore recommend the change of name to the Council and as such this is listed in the various appendices to the report.

#### Overall Political Group split on the Council

3.7 The political groups have the following seats on the Council:

<b><u>Party</u></b>	<b><u>Seats</u></b>	<b><u>Calculation</u></b>	<b><u>%</u></b>
Labour & Co-op	22	22/54	40.74
Conservative	20	20/54	37.03
Green	11	11/54	20.37
Independent	1	1/54	1.85
<b>Total</b>	<b>54</b>		<b>99.99%</b>

#### Committee Sizes

3.8 The total number of committee places used for the determination of the allocation of seats to the political groups is 108 as detailed in Appendix 1. (Note that the Political Balance Regulations do not apply to the Licensing Committee (2003 Act) and therefore only the 15 seats for the Licensing Committee are included in the 108 seats to be allocated).

3.9 The proposed allocation of places on each of the committees as detailed in Appendix 2 to the report takes into account the principles referred to in paragraph 3.4.1 in that:

- (a) The Labour & Co-operative Group's overall allocation equals 45 seats,
- (b) The Conservative Group's overall allocation equals 40 seats,
- (c) The Green Group's overall allocation equals 22 seats; and
- (d) That in having regard to the convention that the Council has abided to whenever there has been an Independent Member, one seat is allocated to the Independent Member.

3.10 In seeking to allocate the 108 available seats, and allowing for the Independent Member to be offered a seat; the initial allocation across all the committees results in 107 seats being allocated as follows:

- the Labour & Co-operative Group being under allocated by 1 seat,
- the Conservative Group being over allocated by 2 seats, and
- one seat not being allocated.

3.11 In seeking to address the imbalance from the initial allocation, it is proposed that the Conservative reduce their allocation by 2 seats as was the previous situation by only taking 3 seats on the Children, Young People & Skills and Tourism, Development & Culture Committees. These 2 seats then being taken by the Labour & Co-operative Group. The remaining unallocated seat for the Planning Committee then being offered to the Independent Member in line with the convention to offer a seat to an Independent Member.

3.12 The Lead Member Roles listed in appendix 3 and the designated Member for each role is anticipated to be the spokesperson for that area on behalf of the Council and the Administration. This will be reviewed by the Chief Executive and Leader of the Council to determine whether they are sufficient or if there is a need to make any changes to the roles or designations.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 The proposed committee allocations have been raised with the respective Group Leaders and are in keeping with the Regulations governing the political balance of committees.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

5.1 The Leaders of the three political groups have been consulted on the proposed allocations and notification of nominations for committee membership and Lead Member roles will be provided after the respective Annual Group Meetings. Details of these nominations will be listed in appendices 2 and 3, which will be tabled at the Council meeting as part of the addendum papers.

#### **6. CONCLUSION**

6.1 Having taken into consideration the number of committees and seats available for the distribution of places between the three Groups represented on the Council, the allocations proposed are considered to be the most appropriate.

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

### Financial Implications:

- 7.1 All associated costs for the payment of Members Allowances taking into account the changes in allocations remain within the Members Allowances Scheme and will be met from within existing resources.

*Finance Officer Consulted: Peter Francis Date: 03/05/2017*

### Legal Implications:

- 7.2 The proposals in this report comply with Section 15(1) of the Local Government & Housing Act 1989, which sets out the duty and principles regarding the allocation of seats to political groups.

*Lawyer Consulted: Abraham Ghebre-Ghiorghis Date: 03/05/2017*

### Equalities Implications:

- 7.3 The regulations provide for the distribution of seats amongst the political groups on an equitable basis.

### Sustainability Implications:

- 7.4 There are no sustainability issues arising from the report.

### Risk and Opportunity Management Implications:

- 7.5 The allocation of seats across the various parties is required by statute and the failure to comply with the requirements could place the council at risk and subject to review from the Secretary of State.

### Corporate / Citywide Implications:

- 7.6 The appointments process needs to be completed to enable the various decision making bodies to have their memberships confirmed so that meetings can then be called in accordance with regulations. The failure to appoint to the bodies would prevent decisions from being taken and therefore could result in the authority failing to undertake its duties and responsibilities.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

- Appendix 1 Committee seat allocations;
- Appendix 2 Chairs, Deputy Chairs, Opposition Spokespersons and Committee membership nominations;
- Appendix 3 List of Lead Members roles and nominees
- Appendix 4 Appointments to Council and Outside Bodies

### **Documents in Members' Rooms**

None

### **Background Documents**

None

**ALLOCATIONS OF COMMITTEES  
2017/2018**

Agenda Item 9 Appendix 1

<b>Committees and Sub-Committee</b>	<b>No. Seats</b>	<b>Labour &amp; Co-operative</b>	<b>Conservative</b>	<b>Green</b>	
<b>Policy Resources &amp; Growth</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>	
<b>Children, Young People &amp; Skills</b>	<b>10</b>	<b>5</b>	<b>3</b>	<b>2</b>	<b>Co-optees</b>
<b>Environment, Transport &amp; Sustainability</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>	
<b>Housing &amp; New Homes</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>	
<b>Neighbourhoods, Inclusion, Communities &amp; Equalities</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>	
<b>Tourism, Development &amp; Culture</b>	<b>10</b>	<b>5</b>	<b>3</b>	<b>2</b>	
<b>Audit &amp; Standards</b>	<b>8</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>2 x Independent Co-optees</b>
<b>Licensing*</b>	<b>15</b>	<b>6</b>	<b>6</b>	<b>3</b>	
<b>Planning</b>	<b>12</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>Independent Member</b>
<b>Health Overview &amp; Scrutiny</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>2</b>	
<b>Personnel Appeals</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	
<b>Total</b>	<b>108</b>	<b>45</b>	<b>40</b>	<b>22</b>	<b>1</b>

**ALLOCATIONS OF COMMITTEES  
2017/2018**

Agenda Item 9 Appendix 1

<b>Other Bodies</b>	<b>No. Seats</b>	<b>Labour &amp; Co-operative</b>	<b>Conservative</b>	<b>Green</b>	
Not included in the equation for the allocation of seats:					
<b>Health &amp; Wellbeing Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>5 x CCG Representatives</b>
<b>Corporate Parenting Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>	
<b>Procurement Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>	
<b>Strategic Delivery Board</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>1</b>	
<b>Royal Pavilion Shadow Trust Board</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	
<b>Urgency Sub-Committees</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	
<i>Licensing 2003Act* - has the same membership as Licensing Committee</i>	<i>15</i>	<i>6</i>	<i>6</i>	<i>3</i>	
<b>Joint Committees</b>					
<b>Greater Brighton Economic Board</b>	<b>2</b>	<b>1</b>	<b>1</b>		
<b>Orbis</b>	<b>1</b>	<b>1</b>			
<b>Orbis Law</b>	<b>1</b>	<b>1</b>			