

Brighton and Hove City Council

COUNCIL

Agenda Item 59

Subject: **Review of the Council's Constitution**

Date of Meeting: **15 December 2022**

Contact Officer: Name: **Lisa Johnson**
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Wards Affected: **All Wards**

FOR GENERAL RELEASE

Action Required of Council:

To receive the recommendations of the Policy & Resources Committee for consideration.

Recommendations:

That Council:

- (i) Approves the proposed changes referred to in paragraph 2.1

That Policy & Resources Committee and Full Council:

- (ii) Authorise the Chief Executive and Monitoring Officer to take all steps necessary or incidental for the implementation of the changes agreed by the Policy & Resources Committee and by Full Council, and authorise the Monitoring Officer to amend and re-publish the Council's constitutional documents to incorporate the changes.
- (iii) Agree that the proposed changes come into force immediately following their approval by Policy & Resources Committee or by Full Council, as appropriate.

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Policy & Resources Committee

4.00pm 1 December 2022

Hove Town Hall - Council Chamber

Draft Minutes

Present: Councillor Mac Cafferty (Chair) Allcock (Joint Opposition Spokesperson), Appich (Joint Opposition Spokesperson), Allbrooke, Evans, McNair, Yates, Hugh-Jones, Nemeth and Osborne

Also present: Dr Anusree Biswas Sasidharan, Standing Invitee

Part One

87 REVIEW OF THE COUNCIL'S CONSTITUTION

87.1 The Committee considered the report of the Executive Director Governance People & Resources which proposed changes to the Council's Constitution. The report had recommendations for both this Committee and Full Council. The report was introduced by the Assistant Director Legal and Democratic Services.

The following Officer Amendment to the report was provided:

1. *To add a new paragraph 3.28 after 3.27 as follows:*

Proposal relating to the appointment of a member to East Sussex Fire and Rescue Service

3.28 *Following the very sad death of Councillor Garry Peltzer-Dunn, the Conservative Group has nominated Councillor Robert Nemeth to be appointed as a member of ESFRS. This appointment can be made by Policy & Resources Committee as opposed to full Council for reasons of timing. The next Fire Authority meeting takes place on 8th December and therefore Policy & Resources Committee is requested to approve the appointment.*

2. *An additional recommendation to read:*

2.5 *Agrees the appointment of Councillor Robert Nemeth as a member of East Sussex Fire and Rescue Service as set out at paragraph 3.28.*

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3. *The numbering of the following recommendations to be updated as follows:-*

Full Council

2.6 Approves the proposed changes referred to in paragraph

Policy & Resources Committee and Full Council:

2.7 Authorise the Chief Executive and Monitoring Officer to take all steps necessary or incidental for the implementation of the changes agreed by the Policy & Resources Committee and by Full Council, and authorise the Monitoring Officer to amend and re-publish the Council's constitutional documents to incorporate the changes.

2.8 Agree that the proposed changes come into force immediately following their approval by Policy & Resources Committee or by Full Council, as appropriate.

87.2 The Committee noted the amendment.

87.3 Councillor McNair noted the suggested limit of 150 words for Member Questions and felt that may not be achievable and was concerned with the shorter minutes and that it was important they still needed to be factual and clear.

87.4 Allbrooke supported the changes to shorter minutes and welcomed that an action log would now also be provided.

87.5 The Committee voted on the recommendations, and they were agreed with two abstentions from the Conservative Group members.

87.6 RESOLVED: That the Committee –

- (i) Recommends to full Council the proposals set out at paragraphs 3.1-3.9 (Council Procedure Rules), 3.14 (Sub-Committee reporting) and 3.20-3.23 (Contract Standing Orders and the Petitions Scheme);
- (ii) Noted the proposals set out at paragraph 3.10-3.12 (Minutes of meetings), 3.24 (the light touch annual survey on the Constitution) and 3.25 -3.27 of the report (the co-option of an additional Independent Person to Audit and Standards Committee);
- (iii) Agreed the proposals to make minor changes to the Scheme of Officer Delegations set out at paragraph 3.15 (Safer Communities) and 3.16 (authorised and unauthorised encampments);

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- (iv) Agreed the proposals to make changes to the Downland Advisory Panel Terms of Reference set out at paragraphs 3.17 -3.19 and Appendix 2;
- (v) Agreed the appointment of Councillor Robert Nemeth as a member of East Sussex Fire and Rescue Service as set out at paragraph 3.28;
- (vi) Authorised the Chief Executive and Monitoring Officer to take all steps necessary or incidental for the implementation of the changes agreed by the Policy & Resources Committee and by Full Council, and authorise the Monitoring Officer to amend and re-publish the Council's constitutional documents to incorporate the changes;
- (i) Agreed that the proposed changes come into force immediately following their approval by Policy & Resources Committee or by Full Council, as appropriate.

The meeting concluded at 9.25pm