

Subject:	Constitutional Matters		
Date of Meeting:	17 June 2013		
Report of:	Monitoring Officer		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Key Decision:	No		
Wards Affected:	All		

For General Release

1. SUMMARY AND POLICY CONTEXT

- 1.1 To provide information on the committee's terms of reference.

2. RECOMMENDATIONS

- 2.1 That the committee's terms of reference, as set out in Appendix A to this report, be noted.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Council meeting on 28 March 2013 agreed a revised constitution for the City Council. The new constitution came into force after the conclusion of the Annual Council meeting on 23 May with the exception of any amendments relating to the terms of reference of the Health & Wellbeing and the Financial Regulations and Standards Financial Procedure which came into effect on 1st April 2013.

The Adult Care & Health Committee – Terms of Reference

- 3.2 The Council agreed that the Joint Commissioning Board be abolished as a separate meeting and that its business be brought into the Adult Care & Health Committee. This will be managed as a two part agenda, starting with the jointly commissioned (Section 75) business when the CCG will meet concurrently with the Council committee (in the same way as the JCB). The second part of the meeting will be limited to the Council committee business. The updated terms of reference for the Adult Care & Health Committee are set out in Appendix 1. An extract from the report "Review of the Constitution" relating to the Joint Commissioning Board is attached as Appendix B.

Membership

- 3.3 The councillor membership of the committee is set at 10. Councillor Members attend the whole of the meeting. There will be three voting members of the

Clinical Commissioning Group and one non voting Health Watch representative who will attend the jointly commissioned (Section 75) section of the meeting.

- 3.4 The arrangements for substitute Members to attend meetings of Committees/Sub-Committees, as set out in the Council Procedure Rules 18 to 24, apply to meetings of the Adult Care & Health Committee.

Quorum

- 3.5 The Quorum for councillors at the Adult Care & Health Committee will be 3 members (see Rule 21 Quorum of Committees and Sub-Committees – Part 3.2 of Council Procedure Rules).
- 3.6 The Quorum for CCG voting members during the jointly commissioned (Section 75) business will be at least two members.

Voting

- 3.7 Normal voting rules as set out in the Council Procedure Rules (Rule 29 Voting - part 3.2 – Council Procedure Rules) apply for councillors during the section of the meeting dealing with council committee business.
- 3.8 During the section of the meeting dealing with jointly commissioned (Section 75 business) each relevant body (Brighton & Hove CCG and Brighton & Hove City Council) will have one vote in passing a resolution. The CCG members and council members will have to decide separately how to use their block vote. The CCG members should decide by a majority. Council members will use normal voting rules (as set out in the constitution) in reaching their decision on how to use their block vote.

Programme Meetings

- 3.9 Ordinary meetings of the Adult Care & Health Committee are scheduled to take place on the following dates during 2013/14:

Monday 17 June 2013
Monday 23 September 2013
Monday 25 November 2013
Monday 20 January 2014
Monday 17 March 2014

- 3.10 Meetings of the Committee will be held in the Council Chamber, Hove Town Hall and will start at 4.00 p.m.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 All Council Members considered and approved the new constitution on the revised constitution on 28 March 2013. CCG voting members and officers were consulted on the proposals.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no specific financial implications arising from this report. It is expected that the overall effect of the introduction of the new constitution will be cost neutral.

Finance Officer Consulted: Name Michelle Herrington Date: 4/06/13

Legal Implications:

- 5.2 The Council's constitution complies with the requirements of the Localism Act 2011, the Local Government Act 2000, the Local Authorities (Constitutions) Direction and relevant guidance.
- 5.3 The Revised s75 Agreement approved by JCB in March 2013 will need to be updated to reflect the changes to the Constitution and abolition of the JCB as a separate board.
- 5.4 There are no adverse Human Rights Act implications arising from this report.

Lawyer Consulted – Sandra O'Brien Date 4/06/13

Equalities Implications:

- 5.5 There are no equalities implications arising from the report.

Sustainability Implications:

- 5.6 There are no sustainability implications arising from the report.

Crime & Disorder Implications:

- 5.7 There are no crime & disorder implications arising from the report.

Risk and Opportunity Management Implications:

- 5.8 There are no risk and opportunity management implications arising from the report.

Public Health Implications:

- 5.9 There are no public health implications arising from the report.

Corporate / Citywide Implications:

- 5.10 There are no corporate or city wide implications arising from the report.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The Joint Commissioning Board could have remained a separate Board but it was considered that the previous arrangements involved an unacceptable level of duplication, with the same reports being taken to both Joint Commissioning Board and Adult Care & Health Committee. Having two

separate agendas with meetings running in succession was also considered cumbersome.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The recommendations are being put forward in line with the requirements of the constitution.

SUPPORTING DOCUMENTATION

Appendices:

1. (A) Adult Care & Health Committee Terms of Reference.

(B) Extract from report submitted to full council on 28 March 2013 – Item 110
Review of Constitution

Background Documents

1. The Constitution