

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

4.00pm 13 MAY 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Mac Cafferty (Chair) Appich and Bell (Group Spokesperson)
Also present: Standing Invitee

PART ONE

179 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

179.1 Councillor Appich declared that she was present as a substitute for Councillor Platts.

(b) Declarations of Interest

179.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

179.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

179.4 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the items contained in part two of the agenda.

180 MINUTES

180.1 **RESOLVED:** That the minutes of the last meeting held on the 18 March 2021 be approved as a correct record of the proceedings.

181 CHAIR'S COMMUNICATIONS

181.1 The Chair gave the following communications:

I'd also like to ask that you bear with us as we all work to the new arrangements today. I do want to acknowledge that we are meeting in person not because this was our choice but because the government failed to legislate for the continuation of virtual meetings and remote decision making, despite the ongoing pandemic, and despite the obvious advantages that online meetings could afford us in terms of access to local decision

making.

I've said before that while I'm of course glad to see many colleagues in person I consider this a retrograde and unfortunate step, and am here in protest; given that we remain convinced of the need to minimise Covid risk. Just weeks ago this meeting could have been held virtually, the only difference being that the government failed to extend the legislation to allow this to continue. So in a matter of weeks, the capacity for all councillors to make decisions in a virtual meeting has gone from lawful to unlawful.

Of course this means that for a limited time period we have had to adapt our meeting format in order to allow both in person decision making but also to minimise covid risk and adhere to the highest public health standards in order to protect both councillors, staff and members of the press and public from risk. This new arrangement means of course that many of our colleagues cannot be here today in person. We are now in the perverse situation where government legislation means that this committee is less democratic than it was during lockdown. It is our wish that looking ahead, we will be able to once again have full attendance when it is safe and in line with public health guidance.

We take public health and the health and safety of all working for the council extremely seriously and so can I state that I am also extremely grateful to colleagues and council staff for all they have done to make today as safe as possible and for everyone's continued efforts to drive down Covid-19 infections and minimise risk

This need is front and centre in my mind as public health teams and I continue to watch news about the variant common in India spreading in the UK. While we await the outcome of studies on what this variant means I am keen that we are prepared locally for any turn of events that may result. And while a variant of concern means increased testing is available to local areas to contain spread in tandem with contact tracing, this is another reminder that the pandemic is sadly far from over. Vaccination remains our strongest defence against the pandemic and this is why our work continues with the NHS locally to roll out community vaccinations in neighbourhoods across the city. This is to ensure as many residents as possible get vaccinated as quickly as possible in the areas where there has been least take up. Our focus continues on the issues affecting the city including Covid-19 and the continued opening up of the city so we can put our best foot forward.

Last week we teamed up with the Business Innovation District to 'brighten up' empty shops with art installations. This Sunday, Surfers Against Sewage are tidying our beaches with their Million Miles Beach Clean and I'd encourage you to get involved if you can. It starts at 10am at the Peace Statue.

Campaigns to support the local community in Moulsecoomb are still ongoing. On Saturday, there will also be a march taking place from Moulsecoomb Primary at 10am. It is highlighting the forced academisation process taking place. We will continue to fight against academisation in our city and stand side by side with parents, children, staff and community campaigners against the takeover by Pioneer Academy. I'd encourage

you to join us and help add your voice.

I'd also like to take this opportunity to make people aware of events taking place this week for International Day against Homophobia, Biphobia and Transphobia. From noon on Monday 17 May - the council's LGBTQ Workers Forum is holding a LOUD and PROUD LGBTQ+ health walk from the Palace Pier to The Level, to be visibly LGBTQ+, to share safe, welcoming, empowering LGBTQ+ peer space.

There will be flags and fun music for the gentle walk along fully accessible, flat, level pedestrian paths through Valley Gardens, which is in full bloom with a superb show of spring flowers. There is also advice about how to participate in a Covid-19 safe way. Everyone LGBTQ+ and allies are welcome to join.

As a closing remark of course this week has seen elections across the country; and in by-elections in Brighton & Hove; and I look forward now to a new civic year with some new colleagues, especially our newest Green colleague councillor Zoe John. I'd like to thank everyone who participated in the elections despite the challenges of this year. Finally I'd like to wish our Muslim community in the city a happy Eid – I'm very aware that Covid-19 restrictions mean that sadly this will be a different Eid to most years but hope that everyone celebrating can still have a meaningful and enjoyable day, as we look forward to a future where it's easier to meet again in person.

182 CALL OVER

182.1 The Head of Democratic Services confirmed that the following items had been reserved for discussion:

Item 186 Review of the Council's Constitution

Item 187 Council and Committee Meetings Post 6th May 2021

182.2 The Head of Democratic Services confirmed that Item 189, Part Two Minutes having not been called had therefore been approved.

183 PUBLIC INVOLVEMENT

183.1 The Chair noted that one public question had been submitted and that there were no other public items and therefore invited Mr Kapp to join the meeting and put his question.

183.2 Mr Kapp thanked the Chair and asked if the council would devolve the ownership of the i360 to its democratically elected ground landlord, the Brighton West Pier Trust (BWPT) with a new franchise brief to proudly own and manage it as a viable public asset of the city, rescheduled to start repaying its £40m loan to the Council 4 years later, from June 2022 to 2044, by appointing a competent manager (like Luke Johnson) to market it as the biggest sundial in in the world, with an exhibition of the history of the measurement of time, as described on www.i360sundial.org.uk?

183.3 The Chair thanked Mr Kapp for his question and stated that The city council does not own the i360 and so cannot pass ownership on to anyone. The city council did loan money to the i360 and under the terms of that loan does have step in rights. However, as a number of previous reports to this committee have set out, the council is working with the existing management of the i360 to agree the principles of a loan restructure, as that is considered the most effective way to protect the council's investment. No element of the loan has been written off, it has only been deferred.

If it were considered that stepping in was the best way to protect the council's investment, then we would do that. However, in that event the future management of the attraction would need to be the thought about in detail and reported back to this committee. It could not just be devolved to any organisation or individual without due process.

183.4 Mr Kapp thanked the Chair and asked if the Council would be willing to take the model he had for display at the museum or at the site of the i360.

183.5 The Chair stated that the Council could not accept ownership of the model although he thanked Mr Kapp for the offer and stated that he could not confirm whether or not the owners of i360 would accept it and suggested that Mr Kapp contact them directly.

184 ITEMS REFERRED FROM COUNCIL

184.1 The Chair noted that one Notice of Motion concerning the Green Pride event had been referred from the last full Council meeting held on the 25 March 2021 for consideration.

184.2 The Chair noted that the motion requested that a report be brought to a future meeting of the committee and proposed that this should be actioned.

184.3 **RESOLVED:** That officers be requested to bring a report on the management of the Green Pride event to a future meeting of the committee.

185 MEMBER INVOLVEMENT

185.1 The Chair noted that there were no items from Members for consideration at the meeting.

186 REVIEW OF THE COUNCIL'S CONSTITUTION

186.1 The Executive Lead Officer for Strategy, Governance & Law introduced the report which detailed proposed changes to the Council's Constitution to be approved by the committee and full Council. He noted that the proposals had been considered by the cross-party Constitution Working Group and were being brought forward as part of the regular review of the constitution.

186.2 Members of the committee welcomed the report and thanked the officers for the work that had been undertaken and noted the proposed changes would improve the workings of the council. The committee also welcomed the intention to produce job descriptions for co-optees and to have a co-optee on the Environment, Transport & Sustainability Committee.

186.3 The Chair noted the comments and put the recommendations to the vote which were carried.

186.4 **RESOLVED:**

- (1) That the full Council be recommended to approve the proposal to make changes to the Council's Procedure Rules in Part 3.2 of the Council's Constitution indicated in paragraphs 4.1 - 4.7 inclusive and Appendix 1;
- (2) That the proposals to make changes to the Council's Member Working Groups and Advisory Bodies in Part 4 of the Council's Constitution as set out in paragraphs 4.8 to 4.11 inclusive and Appendices 2 & 3 be approved;
- (3) That full Council be recommended to approve the appointment of a co-optee to represent the perspective of disabled people to Environment, Transport & Sustainability Committee and a representative from Parent Carers' Council (PaCC) to be co-opted onto the Children, Young People & Skills Committee, as outlined in paragraph 4.12 of the report;
- (4) That a report be brought to the next Committee meeting, addressing proposals for the payment of an allowance to those co-optees and standing invitees described in paragraph 4.13 of the report;
- (5) That the proposal to make changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution as set out in paragraphs 4.14 to 4.15 inclusive and Appendix 4 of the report be approved;
- (6) That the full Council be recommended to approve the proposal to make changes to the rules on Petitions in Part 8.10 of the Council's Constitution as set out in paragraphs 4.16 to 4.18 inclusive and Appendix 5 of the report;
- (7) That full Council approves the proposed changes referred to in paras 2.1, 2.3 and 2.6 above and as set out in Appendices 1 and 5 to the report;
- (8) 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 by Full Council, and that the Monitoring Officer be authorised to amend all parts of the Council's constitutional documents necessary to incorporate the changes, and to republish the Constitution; and
- (9) That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

187 COUNCIL AND COMMITTEE MEETINGS POST 6TH MAY 2021

187.1 The Executive Lead Officer for Strategy, Governance & Law introduced the report which sought agreement to the proposed working arrangements for meetings of the Council, committees and other bodies after the 6th May following the conclusion of the legislation enabling the arrangements for virtual meetings. He stated that the proposals

would take the Council through to the end of July and a further review would then be undertaken to account for the Covid-19 roadmap set out by the government and arrangements in place at that time. He also noted that the actual legislation governing the holding of meetings may also be reviewed to enable virtual meetings to be held and this would then need to be considered for future meetings.

- 187.2 Members of the Committee welcomed the report and noted that the proposals to limit the attendance of councillors for Council and committee meetings was in line with health and safety recommendations and would be reviewed at the end of July. Members also thanked officers for enabling the virtual meetings to take place during the pandemic and noted that public engagement had been maintained and suggested that it had benefitted from the ability to join meetings virtually. It was hoped that the positive aspects of virtual meetings could be retained in the future.
- 187.3 Councillor Appich noted that the P&R Recovery Sub-Committee was listed as having all 5 Members in attendance for its meetings whilst the majority of committees would have 3 and queried whether this should be amended to maintain continuity.
- 187.4 The Executive Lead Officer stated that as it was only a five Member committee it had been felt that all the councillors could be accommodated. However, if the committee felt that it should only have 3 Members in attendance then that could be agreed.
- 187.5 Councillor Appich moved an amendment to reflect the need for the P&R Recovery Sub-Committee to only have 3 Members in attendance during the next committee cycle, which was formally seconded by the Chair and Councillor Bell.
- 187.6 The Chair put the amendment to the vote which was carried and then put the recommendations as amended to the vote which were carried.
- 187.7 **RESOLVED:**
- (1) That it be noted that the regulations under which the council currently holds virtual meetings came to an end on 7th May 2021 and therefore there was a need to make different arrangements to comply with legal requirements;
 - (2) That the public health considerations and the measures proposed to minimise risk to health be noted;
 - (3) That the proposals set out in the protocol in Appendix 1 together with the supporting documents in Appendices 2 to 6 of the report as amended, be approved as a working arrangement to manage Council and Committee meetings during the time between 13 May and the end of July 2021;
 - (4) That the enhanced delegations to Officers as set out in Appendix 1 and the flowchart in Appendix 2 to the report be agreed;
 - (5) That Members authorise the Chief Executive and the Executive Officer for Strategy, Governance & Law to take such steps as are necessary to ensure that the arrangements for meetings are safe.

188 ITEMS REFERRED FOR COUNCIL

188.1 The Chair noted that no items had been referred to the full Council meeting for information on the 15th July 2021.

Part Two Summary

189 PART TWO MINUTES - EXEMPT CATEGORY 4

189.1 **RESOLVED:** That the part two minutes of the meeting held on the 12th March 2021 be approved as a correct record.

190 PART TWO PROCEEDINGS

190.1 **RESOLVED:** That the item contained in part 2 of the agenda remain exempt from disclosure to the press and public.

The meeting concluded at 5.02pm

Signed

Chair

Dated this

day of