

**BRIGHTON & HOVE CITY  
ANNUAL  
COUNCIL MEETING**

**4.30PM 21 MAY 2015**

**COUNCIL CHAMBER, BRIGHTON TOWN HALL**



**AGENDA**



**Brighton & Hove  
City Council**

# Council Meeting

Title:	<b>Council</b>
Date:	<b>21 May 2015</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 Archdeacon, the Venerable Martin Lloyd-Williams.
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.</p> <p>If you wish to attend and have a mobility impairment or medical condition or medical condition that may require you to receive assisted escape in the event of a fire or other emergency, please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting. Measures may then be put into place to enable your attendance and to ensure your safe evacuation from the building.</p>
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## AGENDA

### 1 COUNCIL BUSINESS - NEWLY ELECTED COUNCILLORS

The Mayor will invite the newly elected councillors to come forward and take their respective seats in the Council Chamber.

### 2 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.

### 3 MAYORAL REPORT 2015-16

1 - 4

Report of the Assistant Chief Executive (copy attached).

*Contact Officer: Martin Warren*

*Tel: 01273 291225*

*Ward Affected: All Wards*

### 4 ELECTION OF THE MAYOR OF BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2015/16

The Mayor will seek nominations.

### ADJOURNMENT

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

### 5 VOTE OF THANKS TO THE RETIRING MAYOR

The Mayor will call on Councillor Mitchell to move a vote of thanks to the retiring Mayor.

## COUNCIL

### 6 APPOINTMENT OF THE DEPUTY MAYOR OF BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2015/16

The Mayor will move the appointment of the Deputy Mayor.

### 7 MAYOR'S COMMUNICATIONS

To receive communications from the Mayor.

### 8 APPOINTMENT OF THE LEADER OF THE COUNCIL 2015/16

The Mayor will seek nominations for the Leader of the Council for 2015/16.

### 9 CONSTITUTIONAL CHANGES

Report of the Monitoring Officer (copy to be circulated).

*Contact Officer: Abraham Ghebre-Ghiorghis Tel: 01273 291500*

*Ward Affected: All Wards*

### 10 APPOINTMENTS 2015/16

- (a) To approve the appointment of the Deputy Leader of the Council:  
*Councillor Mitchell*
- (b) To appoint the Leader of the Official Opposition:  
*Councillor Geoffrey Theobald.*
- (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 Geoffrey Theobald*
  - (iv) Deputy Leaders of the Conservative Group  
*Councillor Simson*  
*Councillor Wealls*
  - (v) Convenor of the Green Group:  
*Councillor Phelim Mac Cafferty*
  - (vi) Deputy Convenors of the Green Group:  
*Councillor Lizzie Deane*  
*Councillor Alex Phillips*

**11 REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF COMMITTEES, SUB-COMMITTEES, JOINT COMMITTEES, FORUMS, PANELS AND OUTSIDE BODIES 2015/16.**

5 - 10

Report of the Chief Executive (copy attached).

Contact Officer: Mark Wall

Tel: 01273 291006

Ward Affected: All Wards

**12 CLOSE OF MEETING**

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

1. *The Mayor will put the motion to the vote and if it is carried will then:-*

(a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*

(b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

*The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.*

(c) *Following completion of the outstanding items, the Mayor will then close the meeting.*

2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*

3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

*Once all the remaining items have been dealt with the Mayor will close the meeting.*

## COUNCIL

### **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.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

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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).

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## COUNCIL

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  - 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, 13 May 2015



Penelope Thompson CBE  
Chief Executive

King's House  
Grand Avenue  
Hove  
BN3 2LS





**Subject: Mayoral Report 2014-15****Date of Meeting: 21 May 2015****Report of: Assistant Chief Executive****Contact Officer: Name: Martin Warren Tel: 29-1225****Email: [martin.warren@brighton-hove.gov.uk](mailto:martin.warren@brighton-hove.gov.uk)****Ward(s) affected: All****For General Release****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report informs Council of the activities of the Mayor, Councillor Brian Fitch, during the civic year 2014-15

**2. RECOMMENDATIONS:**

- 2.1 That the report be noted

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Mayor is the first citizen of Brighton & Hove and carries out a range of civic and ceremonial duties, representing the council at hundreds of events across the city, around the region and on occasion, overseas.
- 3.2 Many organisations contact the Mayor's office to request mayoral presence at their events. Mayoral presence helps them to raise their profile, which in turn can increase attendance, generate publicity and increase opportunities for fund raising.
- 3.3 In addition, during their year of office each Mayor raises thousands of pounds for their chosen charities and the Mayor's Parlour is offered free for the nominated Mayor's charities to hold fundraising events.
- 3.4 Like most mayors, the Mayor of Brighton & Hove is not elected directly by the people, holds no direct power and is politically neutral during his or her term of office. The role is largely ceremonial, unlike that of the Mayor of London and a small number of other directly elected mayors who hold political power.
- 3.5 The Mayor undertakes many different duties including:
- Chairing meetings of Full Council, including the council's budget setting meeting, making sure they are conducted properly and fairly.
  - Supporting the main aims of the council

- Representing the council at public, civic and ceremonial events both in and outside the city
  - Acting as an ambassador for the city and working with a wide range of local organisations
- 3.6 This year has seen a particular increase in events supporting the Armed Services and Veterans as the nation commemorates the centenary of World War One, the 70<sup>th</sup> Anniversary of D-Day and VE Day and other related military anniversaries. The Mayor has been pleased to be able to attend and support the majority of these and extends his gratitude to those organisations that have co-ordinated and supported them. The Mayor was particularly touched by the reminiscences and memories of Veterans; many of whom appreciated the Mayors theme for the year of 'peace and harmony'.
- 3.7 The Mayor was also pleased to have been able to attend the 'International Association of Peace Messengers' event in Turon, Poland and the 69<sup>th</sup> commemorative anniversary event in Hiroshima for 'Mayors for Peace'.
- 3.8 During his Mayoral year (2014-15) the Mayor carried out in excess of five hundred engagements of which approximately;
- 271 involved community groups / associations and promoting the city
  - 36 were associated with Education / young people or schools
  - 15 related to Faith Communities
  - 28 related to sport and leisure or health
  - 39 were traditional / heritage events
  - 52 were meetings and briefings / council projects or initiatives
  - 12 were related to Arts and culture
  - 35 related to charities
  - 63 were receptions
- 3.9 The Mayor has attended many memorable events, including
- Remembrance Day Commemorations
  - The Chattri Memorial
  - Citizenship Ceremonies
  - Pride
  - Sussex Beacon half marathon
  - Church & Faith festivals
  - Brighton In Bloom
  - The city's first conversions of civil partnerships to same sex marriages
  - The Brighton Festival and Brighton Fringe Festival
  - Numerous veteran vehicle runs
  - Commemoration of Normandy D-Day landings
  - The Children's Parade

- 3.10 The Mayors Parlour has been used on many occasions throughout the year, including;
- Civic Receptions
  - All Meetings of the Mayors Charity Committee
  - Meetings of the Trustees of Gorham's Gift
  - All meetings of the Brighton Fund
- 3.11 The Mayor wishes to thank the Youth and Deputy Youth Mayors; Alex Boyle & Maram Tikriti for their support. He considers their passion, accountability and sense of civic responsibility a credit to young people. He was particularly touched by their support for Remembrance Day and associated events.
- 3.12 The Mayors chosen charities this year have been; 'The Martlets', The Argus Appeal' and 'Brighton Housing Trust'. The Mayor wishes to thank his Charity Committee and in particular Antonia Shepherd (Chair) and Belinda Cousins (Administration) for their sterling work. Funds raised for charity look set to exceed £35K.
- 3.13 The Mayor wishes to thank Father John Wall for acting as his Chaplain and Fathers Robert Chavner, Phil Ritchie and Jerry O'Brien for their support.
- 3.14 The Mayor has been assisted and supported this year by Councillor Denise Cobb (Deputy Mayor) who attended over fifty events to represent the Mayoralty, and Former Mayors, Councillors Randall, Mrs. Norman and Wells; the Mayor thanks them for their support and flexibility.
- 3.15 The Mayor would like to extend particular thanks to his wife, Norah who has inhabited the role of Mayoress with aplomb, grace and good humour. He also wishes to thank his friends, family and fellow councillors in supporting him, not only during his Mayoral term, but during his final year as an elected Member.
- 3.16 The Mayor is grateful to officers and particularly wishes to thank Richard Butcher-Tuset for his support and guidance, Matt Wragg and Siobhan Williams for their budgetary oversight and advice, Robbie Robertson, Darren Patching, Keiran Madden and Paul Grundy for their chauffeuring and diplomatic skills, Trudy Haigh and Emma Riley for their administrative support and Martin Warren for his ministrations in respect of the Mayor's Office.

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

- 4.1 Not required

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

- 5.1 The Mayor has been consulted on the content of this report.

## **6. CONCLUSION**

- 6.1 The Mayoral report reflects the work and interest of the incumbent during their term in office; as such it has no formal designation and is presented as an historic record.

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

### Financial Implications:

- 7.1 There are none arising from this report.

### Legal Implications:

- 7.2 There are none arising from this report.

### Equalities Implications:

- 7.3 There are none arising from this report.

### Sustainability Implications:

- 7.4 There are none arising from this report.

### Any Other Significant Implications:

- 7.5 There are no other significant implications.

## **SUPPORTING DOCUMENTATION**

There are no supporting documents

<b>Subject:</b>	<b>Review of Political Balance and Appointment of Committees, Sub-Committees, Joint Committees, Forums, Panels and Outside Bodies 2015/16.</b>		
<b>Date of Meeting:</b>	<b>21 May 2015</b>		
<b>Report of:</b>	<b>Chief Executive</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Abraham Ghebre-Ghiorghis</b>	<b>Tel: 29-1500</b>
		<b>Mark Wall</b>	<b>Tel: 29-1006</b>
	<b>Email:</b>	<b>mark.wall@brighton-hove.gov.uk</b>	
<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, Forums and Panels of the Council and membership thereof and to consider and appoint representatives to various Outside Bodies for the ensuing municipal year or in accordance with the period of office for the respective Body.

**2. RECOMMENDATIONS:**

- 2.1 That the allocation of seats as detailed in the report and in appendix 1 (to be circulated separately) to the report be approved;
- 2.2 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 (to be circulated separately);
- 2.3 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;
- 2.4 That having regard to 2.3 above, 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;
- 2.5 That having regard to 2.2 above, 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);

- 2.6 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 balanced, 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 is asked to agree 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" for the pursuant to section 17 of the Local Government & Housing Act 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990.
- 2.7 That Council appoints members/representatives to various bodies listed in Appendix 2;
- 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), be agreed: and
- 2.9 That having received nominations for the appointments to the list of Outside Bodies from the 3 political groups as detailed in Appendix 4 to the report, (to be circulated separately), such appointments be agreed.

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

- 3.1 The political composition of the Council is Labour & Co-operative (23 Members), Conservative (20 Members) and Green (11 Members). 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 her 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.

#### Overall Political Group split on the Council

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

<u>Party</u>	<u>Seats</u>	<u>Calculation</u>	<u>%</u>
Labour & Co-op	23	23/54	42.59
Conservative	20	20/54	37.03
Green	11	11/54	20.37
<b>Total</b>	<b>54</b>		<b>99.99%</b>

#### Committee Sizes

3.6 The total number of committee places used for the determination of the allocation of seats to the political groups is 110 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 106 seats to be allocated).

3.7 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 47 seats,
- (b) The Conservative Group’s overall allocation equals 41 seats,
- (c) The Green Group’s overall allocation equals 22 seats.

- 3.8 In seeking to allocate the 110 available seats, 107 can be allocated across the various committees and across the 3 Political Groups proportionately. The initial allocation across all the committees results in the Labour & Co-operative Group being under allocated by 3 seats, with the Conservative Group holding two extra seats (109 seats being allocated), and one seat not being allocated. The Planning Committee is also short one Member and therefore it is proposed that the Labour & Co-operative Group take the seat on the Planning Committee, to reduce their under allocation of seats. The remaining two seats required by the Labour & Co-operative Group to fulfil their overall allocation are then taken up from the Conservative Group's initial allocation.
- 3.9 In recognition of the changes to the Committee Structure with the establishment of a Neighbourhood, Communities & Equality Committee; it is proposed that the Chair and Deputy Chair of the committee be included in the scheme of Members Allowances for the payment of special responsibility allowances, subject to the proposal being considered by the Independent Remuneration Panel.
- 3.10 The Lead Member Roles listed in appendix 3 and the designated Member are anticipated to be the spokesperson for that area on behalf of the Council and the Administration. This will be reviewed to determine whether they are sufficient or if there is a need to make any changes to the roles or designations.
- 3.11 Appendix 4 sets out the proposed appointments to Outside Bodies which are required to take immediate effect. It is proposed that a review of all other member appointments to partnerships and external bodies will be undertaken and recommendations brought to Policy & Resources Committee in June/July 2015.

#### **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. CONCLUSION**

- 5.1 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.

#### **6. CONSULTATION**

- 6.1 The Leaders of the three political groups have been consulted on the proposed allocations and notification of nominations for committee membership, lead Member roles and appointments to outside bodies will be provided after the respective Annual Group Meetings. Details of these nominations will be listed in appendices 2, 3 and 4, which will be tabled at the Council meeting as part of the addendum papers.



## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The slight overall increase in the number of committee places from 106 to 110 will have little or no effect on the Democratic Services budgets as these places are not directly linked to payment of Members allowances. Any other potential changes outlined in this report, such as the payment of Special Responsibility Allowances, will be met within existing resources.

*Finance Officer Consulted: Peter Francis*

*Date: 12/05/2015*

### Legal Implications:

- 7.2 The proposals in this report comply with s 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: Elizabeth Culbert*

*Date: 13/05/2015*

### Equalities Implications:

- 7.3 There are no equalities implications arising from the report and the application of 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 (to be circulated separately):**

- 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 - Outside Bodies' nominations.

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

1. None

### **Background Documents**

1. Local Government & Housing Act 1989
2. Local Government & Public Involvement in Health Act 2007