

Subject:	Review of the Constitution – December 2018		
	Extract from the proceedings of the Policy Resources & Growth Committee meeting held on the 6 December 2018		
Date of Meeting:	13 December 2018		
Report of:	Executive Director Finance & Resources		
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Wards Affected:	All		

FOR GENERAL RELEASE***Action Required of the Full Council:***

To receive the item referred from the Policy Resources & Growth Committee for consideration:

Recommendation:

- (1) That the proposed changes to the Council's Constitution recommended in paragraph 2.3 of the report be approved and adopted;
- (2) 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 & Growth Committee and by Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes;
- (3) That the changes proposed in paragraph 2.3 of the report come into force immediately following their adoption at full Council; and
- (4) That proposed changes set out in paragraph 2.4 of the report come into force immediately.

BRIGHTON & HOVE CITY COUNCIL
POLICY RESOURCES & GROWTH COMMITTEE

4.00pm 6 DECEMBER 2018

COUNCIL CHAMBER - HOVE TOWN HALL

MINUTES

Present: Councillors Yates (Chair), Hamilton (Deputy Chair), Janio (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bell, Meadow, Mitchell, Peltzer Dunn, Sykes and Wealls

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- 94.1 The Committee considered the report of the Executive Lead for Strategy Governance & Law which proposed changes to the Council's Constitution.
- 94.2 The Executive Lead for Strategy Governance & Law advised the Committee that there were three minor changes to the published report. Recommendation 2.5, should refer to recommendation 2.3 rather than 2.2, Recommendation 2.7 should refer to recommendation 2.3 rather than 2.2 and Recommendation 2.8 should refer to recommendation to 2.4 rather than 2.3.
- 94.3 Councillor Mac Cafferty was concerned that members of the public could not ask the same question multiple times within a six month period, particularly as residents did not always know the right forum to put a question. The Executive Lead for Strategy Governance & Law said that if a member of the public submitted a question to wrong committee they would be directed to the correct one, rather than it being flatly refused. With regard to the same question being asked a number of times, he said that some people were flooding committees with numerous questions and the amendments were being proposed to address that. Councillor Meadows said that Housing & New Homes Committee regularly received twenty plus questions for each meeting, and when they related to the work of another committee they would be forwarded on to ensure that they received a correct response both to the substantive and the supplementary question.
- 94.4 Councillor Sykes said he was concerned that if a number of different people wanted to ask questions on the same matter but from a different angle, that the Chair could decide to only allow one of those to be asked at a committee.
- 94.5 Councillor Janio said that some of the changes could be taken as eroding democracy, but said that he had attended a Housing & New Homes Committee and it wasn't democracy to flood a meeting with a series of questions on the same matter. He suggested that the matter be reviewed, but asked that it be done after the PR&G Committee in June 2019 as there would then be a new council in place. The Executive

Lead for Strategy Governance & Law said that the Cross Party Working Group met every two to three months, and would continue to review. The Chair agreed that it would be sensible to review after the new council was in place next year.

94.6 The Chair noted the amendments to the recommendations as outlined by the Executive Lead for Strategy Governance & Law.

94.7 **RESOLVED:**

- (1) That the proposals set out in paragraphs 4.1-4.3 of the report for officers to undertake a review of Committee delegations in relation to homelessness and housing matters and report back to a future PR&G Committee be noted;
- (2) That the proposals set out in paragraph 4.4 and Appendix 1 of the report for officers to undertake a review of Member Working Groups and agree to discontinue those task and finish Groups that have completed their work and to report back to a future PR&G Committee to seek agreement to the continuance of specific Member Working Groups be noted;
- (3) That it be recommended to full Council the proposed changes to the Council's Constitution set out at paragraphs 4.5-4.8 of the report, (Council Procedure Rules – Public Questions) and 4.9-4.10 (Scheme of Delegations to Committees – corporate policy and budgetary implications);
- (4) That the recommendations set out at paragraphs 4.11- 4.12 of the report (Scheme of Officer Delegations - litigated claims handling) be approved.

94.8 **RESOLVED TO RECOMMEND:**

- (1) That the proposed changes to the Council's Constitution recommended in paragraph 2. 3 of the report be approved and adopted.
- (2) 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 & Growth Committee and by Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- (3) That the changes proposed in paragraph 2.3 of the report come into force immediately following their adoption at full Council.
- (4) That proposed changes set out in paragraph 2.4 of the report come into force immediately

