

Brighton & Hove City Council

GOVERNANCE COMMITTEE

4.00pm 1 JULY 2008

COUNCIL CHAMBER
HOVE TOWN HALL

MINUTES

Present: Councillor Ann Norman (Chairman); Councillor Simpson (Deputy Chairman), Councillors Davey, Duncan, Kemble, Mrs Mears, Mitchell (OS), Ken Norman, Oxley and Watkins.

In attendance: Councillor Denise Cobb.

PART ONE

ACTION

1. PROCEDURAL BUSINESS

(A) Declarations of Substitutes

- 1.1 Councillors Davey, Kemble, K. Norman and Watkins declared that they were attending the meeting as substitutes for Councillors Taylor, Mrs Brown, Mrs Cobb and Elgood respectively.

(B) Declarations of Interest

- 1.2 There were no declarations of interest.

(C) Exclusion of Press and Public

- 1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100B(3) or 100 1 of the Local Government Act 1972.

2. CHAIRMAN'S COMMUNICATIONS

- 2.1 The Chairman welcomed everyone to the first meeting of the Governance Committee and stated that she hoped colleagues would work together in acting as the custodian of the constitution.

3. CALLOVER

- 3.1 **RESOLVED** – That with the exception of the items reserved (and marked with an asterisk), the recommendations and resolutions contained therein be approved and adopted without debate.

4. PETITIONS

- 4.1 There were no petitions presented to the meeting.

5. PUBLIC QUESTIONS

- 5.1 The Chairman noted that no public questions had been submitted for the meeting.

6. DEPUTATIONS.

- 6.1 The Chairman noted that there had been no deputations submitted for the meeting.

7. WRITTEN QUESTIONS FROM COUNCILLORS

- 7.1 The Chairman noted that no written questions had been received from Members.

8. LETTERS FROM COUNCILLORS

- 8.1 The Chairman noted that no letters had been received from Members for the meeting.

9. NOTICE OF MOTIONS

- 9.1 The Chairman noted that no Notice of Motions had been referred from the Council.

***10. ROLE AND TERMS OF REFERENCE OF THE GOVERNANCE COMMITTEE.**

- 10.1 The Committee considered a report of the Director of Strategy & Governance, which outlined the roles and responsibilities of the Governance Committee, which had been established by the Council under the newly adopted constitution (for copy see minute book).
- 10.2 The Chairman drew the committee's attention to the remit of the committee as outlined in paragraph 3.2.1 of the report.
- 10.3 Members of the committee noted that there was an intention to review the council's relationship with the Older People's Council (OPC) and hoped that this would enable the roles of OPC members to be more clearly defined in terms of their working relationships with councillors and officers and the decision-making process.

- 10.4 Councillor Mears stated that as the Leader of the Council she would welcome an opportunity to discuss matters with the OPC and for the relations between the Council and OPC to be clarified.
- 10.5 The Chairman noted the comments and asked that the report be noted.
- 10.6 **RESOLVED** – That the report be noted.

***11. GOVERNANCE COMMITTEE DRAFT WORK PLAN.**

- 11.1 The Committee considered a report of the Director of Strategy & Governance, which set out the proposed work plan for the committee during 2008/09 (for copy see minute book).
- 11.2 The Head of Legal & Democratic Services introduced the report and noted that a number of issues had been raised by Members as part of approving the adoption of the new constitution. It was therefore proposed that these issues should form part of the work plan for the Governance Committee during 2008/09, and having noted the comments in regard to the Older People's Council, he suggested that the review be added to the November/January cycle of meetings.
- 11.3 The Committee welcomed the report and acknowledged that it was an ambitious programme for the year.
- 11.4 Members of the Committee noted that it was intended to bring a report on the six month review of the constitution to the November meeting and queried whether there would be an opportunity to consider how that review would be undertaken.
- 11.5 The Director of Strategy & Governance stated that a 'light-touch' review had been agreed after the first six months with a more comprehensive review after 12 months. It was therefore appropriate to wait until a full six months had elapsed before reporting back to the committee; however he anticipated that proposals for the review would be brought back to Members for consideration in September.
- 11.6 The Chairman noted the comments and the suggestion that the review of the working relations with the OPC be included for the November/January cycle of meetings and put the recommendations to the committee.
- 11.7 **RESOLVED** –
- (1) That with the inclusion of a review of the working relations with the Older People's Council, the work plan be approved; and
 - (2) That the Director of Strategy & Governance be requested to keep the work plan updated to reflect any new items that are identified

during the year.

***12. ESTABLISHMENT OF THE SUSTAINABILITY COMMITTEE.**

- 12.1 The Committee considered a report of the Director of Strategy & Governance, concerning the proposed establishment of a Sustainability Cabinet Committee (for copy see minute book).
- 12.2 The Head of Sustainability and Environmental Policy introduced the report, and stated that the committee would consider issues in relation to the sustainability agenda and make decisions or recommendations to the Cabinet on matters such as the sustainability strategy and climate change. It was intended that the Committee would have an effective link with the planned City Sustainability Partnership and enable matters to be progressed.
- 12.3 The Director of Strategy & Governance stated that as part of its responsibility for overseeing the operation of the constitution, the Governance Committee was being asked to consider the proposed establishment of a Cabinet Committee. Should the Committee agree to the proposal, it was intended that the Cabinet would consider the matter at its meeting on the 10 July.
- 12.4 Councillor Duncan welcomed the intention to place a high priority on sustainability issues; however he was unsure as to the need of a separate committee from the Cabinet. He felt that the terms of reference outlined in the report did not give enough information to warrant the need for a committee and suggested that the Cabinet was the appropriate avenue to debate and consider matters and to work with the new Sustainability Partnership.
- 12.5 Councillor Mitchell also expressed concerns over the need for a separate committee from the Cabinet and the vagueness of the terms of reference. She believed that the new Sustainability Partnership would be a driver in terms of debating and raising issues around sustainability and would expect matters to be considered by the Cabinet.
- 12.6 Councillor Mears noted the comments and stated that she was keen to give sustainability issues a clear focus and felt that the establishment of a committee would provide this. She intended to chair the committee and to involve Cabinet Members and the Deputy Leader to ensure sustainability was prioritised. She was happy to ensure that the terms of reference were improved, and hoped that the committee would build effective working relations with the Sustainability Partnership. She also noted that as a committee it would meet in public and all Members would have an opportunity to attend and raise questions etc.
- 12.7 Councillor Oxley stated that the establishment of the Sustainability Partnership and the proposed committee was a significant step-

- change, in terms of how the authority would relate to sustainability issues. He hoped to see the Partnership acting as a driving force in pushing matters forward for consideration and action and the committee would be able to take decisions and/or make recommendations to the Cabinet accordingly.
- 12.8 Members of the Committee noted the comments and expressed their concern over the need for the establishment of a committee as opposed to the Cabinet having direct responsibility for sustainability matters.
- 12.9 The Chairman noted the concern raised by some Members of the Committee and that the Leader of the Council had explained the intention behind the establishment of a Sustainability Committee and therefore put the recommendations contained in the report to the vote.
- 12.10 **RESOLVED** – That the establishment of a Sustainability Cabinet Committee be agreed and recommended to the Cabinet for approval.
- *13. MEMBERS DEVELOPMENT - UPDATE.**
- 13.1 The Committee considered a report of the Director of Strategy & Governance, concerning the progress towards accreditation of the South East Employer's Charter for Member Development and on-going work in relation to Member Development (for copy see minute book).
- 13.2 Councillor Ken Norman introduced the report and stated that the Member Development Working Group had met regularly to review progress and consider the development needs of Members. He believed that the Member Development Programme was working effectively and that Members were making use of the opportunities offered to them. With regard to the Charter, he noted that arrangements had been made for the assessment to take place on the 25 September, which would include interviews with the Leader, Leader of the Opposition, a cross-party group of Members and officers. He hoped to be in a position to report on a successful outcome at the November meeting. He also wished to record his thanks to the officers involved in supporting Member Development.
- 13.3 Members of the committee welcomed the report and asked that their thanks and appreciation be reported to those officers involved in directly co-ordinating the Member Development Programme. The Committee also noted the need to promote the development programme and opportunities for learning and thanked the Member Development Working Group for leading on the programme and working towards Charter status.

13.4 RESOLVED –

- (1) That the Charter assessment arrangements put in place for the 25 September 2008 and the work required to be completed in time for the assessment be noted;
- (2) That the Member Development Working Group be supported in encouraging Members to identify their learning needs, to participate in development activities that address those needs and to provide feedback to the Working Group on those activities could be improved on an ongoing basis; and
- (3) That any new areas for development in the 2008/09 Member Development Programme be identified and raised with the Working Group.

***14. WEB CASTING OF MEETINGS**

- 14.1 The Committee considered a report of the Director of Strategy & Governance, which outlined the progress to date in enabling the Council to web cast some of its meetings (for copy see minute book).
- 14.2 The Head of Democratic Services introduced the report and outlined the proposals for the web casting of meetings during the pilot year, which would include Full Council, the Cabinet, Planning Committee and Overview & Scrutiny Committee meetings.
- 14.3 Members of the Committee welcomed the report and the intention to trial web casting of meetings, which it was noted had been successfully undertaken by other authorities. Members asked if it would be possible to see how the equipment would work and how a meeting looked when it was web cast and for some guidance to be prepared for Members.
- 14.4 **RESOLVED –**
 - (1) That the report be noted; and
 - (2) That the web casting of meetings including the Cabinet, Planning Committee, 2 x Scrutiny Committees and Full Council be undertaken as part of the trial period, as outlined in the report.

***15. APPOINTMENT OF COUNCIL REPRESENTATIVE TO THE COASTAL ISSUES SPECIAL INTEREST GROUP.**

- 15.1 The Committee noted that following the appointments made at the Annual Council Meeting in May, Councillor Smith had been nominated to replace Councillor Janio who had indicated that he could not undertake his role on the Coastal Issues Special Interest Group.

15.2 **RESOLVED** – That Councillor Smith be appointed as the Council's representative on the Coastal Issues Special Interest Group for 2008/09.

***16. METHODOLOGY FOR CONSULTATION AFTER FIRST 6 MONTHS**

16.1 The Head of Legal & Democratic Services informed the Committee that the initial six-month review of the constitution should be after the 15 November 2008. He stated that officers were looking at how the review could be undertaken and what/who should be included in the process and how to form the question so that it was relevant to the public. There was also a need to be mindful of what other consultation exercises were planned for the autumn and he hoped to be able to bring back an outline proposal to the September meeting.

16.2 **RESOLVED** – That the information be noted.

***17. INITIAL REVIEW OF THE FIRST ROUND OF CABINET AND CABINET MEMBER MEETINGS**

17.1 The Head of Legal & Democratic Services stated that overall the first round of Cabinet and Cabinet Member meetings had gone well and been well received by Members and members of the public. He noted that the timetabling of some meetings had already been reviewed with some Cabinet Member Meetings be moved to a quarterly schedule i.e. Finance and Central Services. It was likely that there would be further changes to the timetabling of meetings in light of the two cycles leading up to the August recess and this would be included as part of the 6-month review of the constitution.

17.2 Councillor Mears stated that she had been pleased with how the meetings and process and gone following the adoption of the new constitution and wished to record her thanks to the officers responsible for enabling the meetings to work well and run smoothly.

17.3 Members of the Committee noted the information and stated that whilst the meetings had gone well, there were still some reservations about how the Cabinet system would operate and it was likely that it would take some time before all Members were aware of how to utilise the new system effectively for their own needs.

17.4 **RESOLVED** – That the information be noted.

18. ITEMS TO GO FORWARD TO COUNCIL

18.1 The committee considered whether any items should be submitted to the 17 July Council meeting for information in accordance with Procedural Rule 24.3a.

18.2 In having regard to the Council meeting scheduled for the 17 July, Councillor Duncan queried whether there were any implications in

- terms of the meeting taking place with regard to the recently announced strike action by Unison on the 16 and 17 July and the decision in respect of item No.12.
- 18.3 The Director of Strategy & Governance stated that the proposed establishment of a Cabinet Sustainability Committee was an executive function and therefore came under the remit of the Cabinet. The matter had been reported to the Governance Committee as it resulted in a change to the decision-making structure but was ultimately for the Cabinet to determine and could only be reported to the council for information. In respect of the proposed strike action he stated that the dates had been noted but he was not aware of any changes to the date of the council meeting at this point in time.
- 18.4 Councillor Mears stated that she had been in discussion with the Chief Executive with regard to the options available and hoped to be able to make an announcement in the following few days.
- 18.5 **RESOLVED** – That no items be referred to Council other than those identified by the respective report of the need to be submitted to Council for approval.

The meeting concluded at 6.10pm

Signed

Chairman

Dated this

day of

2008