

Subject:	Constitutional Matters		
Date of Meeting:	28 June 2016		
Report of:	Executive Lead for Strategy, Governance & Law (Monitoring Officer)		
Contact Officer:	Name:	John Peel	Tel: 29-1058
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To provide information on the committee's terms of reference and related matters including the appointment of its Urgency Sub-Committee.

2. RECOMMENDATIONS:

- 2.1 That the committee's terms of reference, as set out in Appendix A to this report, be noted; and
- 2.2 That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Article 6 of the constitution, incorporates a schedule of all the Committees/Sub-committees established in the new constitution together with a summary of their respective functions.

The Environment, Transport & Sustainability Committee – Terms of Reference

- 3.2 A copy of the terms of reference for the committee is attached in Appendix A. These should be read in the context of the 'Introduction and General Delegations' included in the Scheme of Delegations to Committees and Sub-Committees at part 4 of the constitution.
- 3.3 At its meeting on 12 May 2016, Full Council agreed to the decommissioning of Overview & Scrutiny Committee. In order for the Council to continue to meet its

responsibilities under the Localism Act 2011 in relation to flood risk and coastal erosion plans, it was necessary that these functions be delegated to the Environment, Transport & Sustainability Committee.

Membership

- 3.3 The membership of the committee is set at 10 Members of the council.
- 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.

Programme Meetings

- 3.5 Ordinary meetings of the Environment, Transport & Sustainability Committee are scheduled to take place on the following dates during 2016/17:

Tuesday 28 June 2016
Tuesday 11 October 2016
Tuesday 29 November 2016
Tuesday 17 January 2017
Tuesday 14 March 2017

- 3.8 Meetings of the Committee will normally be held at Hove Town Hall and will start at 4.00 p.m. For some of the 2016/17 municipal year, meetings will be held in Portslade Town Hall at 4.00pm due to renovation work at Hove Town Hall.

Urgency Sub-Committee

- 3.9 The Constitution states that each Committee of the Council except the Audit & Standards Committee may appoint an Urgency Sub-Committee to exercise its powers. The membership of such Urgency Sub-Committee shall consist of the Chair of the Committee, and two other Members nominated by the Group Leader or Leaders as appropriate to meet the requirements for the allocation of seats between political groups. Under current allocations this would mean an urgency sub-committee will consist of one Member from each of the three political groups on the Council.
- 3.10 Such Urgency Sub-Committees may exercise their powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee. Every decision of each Urgency Sub-Committee shall be reported for information to the next ordinary meeting of the Committee as appropriate.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The council's constitution provides for the appointment of the sub-committees and urgency sub-committees and it is for the Committee to determine this action and it could decide not to make such appointments. However, this would be contrary to the wishes of the council and is not therefore regarded as a viable alternative option.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 All Members considered and approved the constitution and the changes therein on the 12 May 2016.

6. CONCLUSION

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

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Any extra costs arising from the Urgency sub-committee are expected to be met within existing resources.

Finance Officer Consulted: Peter Francis

Date: 17th May 2016

Legal Implications:

- 7.2 The legal implications are addressed in the body of the report.

Lawyer Consulted: Elizabeth Culbert

Date: 23^d May 2016

Equalities Implications:

- 7.1 There are no equalities implications arising from the report

Sustainability Implications:

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

Any Other Significant Implications:

- 7.3 None

SUPPORTING DOCUMENTATION

Appendices:

1. Environment, Transport & Sustainability Committee Terms of Reference

Documents in Members' Rooms

1. None

Background Documents

1. The Constitution