

## **PART 4 SCHEME OF DELEGATION TO COMMITTEES AND SUB-COMMITTEES**

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## INTRODUCTION AND GENERAL DELEGATIONS

### A. Introduction

1. This scheme of delegation sets out the functions of the Council to be discharged by the Council, its Committees and Sub-Committees. It also includes the terms of reference of the permanent Member Working Groups which have been set up to assist the Council's discharge of its functions, as well as details of statutory and non-statutory bodies either set up by the Council or to which the Council appoints members. Up to date information on the external bodies and partnerships which elected members are appointed to may be found in the most recent version of the annual report to Full Council, which is published in May of each year.
2. The functions delegated to Committees and Sub-Committees under this scheme are subject to the Council's Standing Orders, regulations and procedures.
3. Where a matter has corporate policy or corporate budgetary implications (e.g. committing the Council to expenditure that has serious impact on the overall finances of the Authority), then it will normally be considered first by the Committee with responsibility for the relevant functions or service area before being referred with recommendations to the Policy & Resources Committee for a decision. Where this approach is considered to be impractical for timing or for other reasons, and/or the matter has previously been considered by the service Committee at an earlier stage and referred to Policy & Resources Committee at that point, then the matter may instead be referred directly to Policy & Resources Committee following consultation with the service Committee Chair. The Chief Executive may issue practical guidance as to the application of this paragraph. Where the position is not clear, the Chief Executive (in relation to policy matters) or the Chief Finance Officer (in relation to budgetary matters) will make the final determination.
4. Where any Committee or Sub-Committee, subsequent to approval of the budget at Budget Council, intends to make a change which involves a financial commitment (including removal of planned savings) which is not provided for within the approved budget and policy framework set by full Council, the Committee shall identify from which funds the relevant commitment shall be met. Alternatively, the Committee or Sub-Committee will propose alternative savings measures to meet the commitment. Any such proposals must be consistent with virement rules set out in the Council's Financial Regulations.
5. Where a Committee would otherwise have delegated powers to make decisions, non-compliance with paragraph 3 above shall not affect the validity of the decision taken.
6. The acquisition or disposal of land or an interest in land shall be referred to the Policy & Resources Committee for determination. This shall not affect the relevant Committees' powers to make decisions on service issues relating to their functions.
7. None of the Council's Committees have delegated powers to sign up to charters, alliances or pledges on behalf of the Council. All such requests must instead be referred to Full Council.

8. Where a function is delegated to a Committee, that Committee may delegate the function to its Sub-Committee(s) or an Officer and the Sub-Committee(s) may delegate the function to an Officer.
9. Where a function is delegated to more than one Committee or Sub-Committee, any one of those Committees or Sub-Committees may exercise the function.
10. All Sub-Committees are required to report annually on their activities to their parent Committee. In addition, any member of a Sub-Committee may request that a report be made to the parent Committee at any other time.
11. All such matters as may be regarded as included by inference shall be comprised with the delegated functions of the Committee or Sub-Committee, and delegated functions shall include all consequential or ancillary matters as necessary.
12. The list of Member Working Groups provided in this Scheme includes only permanent Working Groups which have been set up by Policy & Resources Committee to assist the relevant parent committee in discharging its delegated functions. It does not include any 'task and finish' Member Working Groups set up by a Committee or Sub Committee from time to time in order to carry out a short, defined task.
13. The Council's permanent Member Working Groups shall be appointed on a cross party basis, and any nominee may be changed or substituted at any meeting. While the Terms of Reference of permanent Member Working Groups must be approved by Policy & Resources Committee, the question of whether the Members of a Working Group must necessarily be drawn from the pool of Members appointed to the parent Committee shall be for the relevant parent Committee to determine. The Chair of each of the permanent Member Working Groups shall normally be appointed from the Council's largest political Group unless Policy & Resources Committee has made other express provision. While Member Working Groups are expected to achieve consensus where possible, the Chair shall have the right to exercise a casting vote.
14. In this scheme a reference to an Act of Parliament shall be deemed to include a reference to any Act by which it is applied, extended, amended, consolidated or replaced. It shall also be deemed to refer to any statutory instrument, regulations, orders, byelaws or the like made or having effect as if made under such Act.
15. Where any legislation (including statutory instruments) referred to in this scheme has been superseded by changes derived from the European (Withdrawal Agreement) Act 2019-20 ("the Act"), and/or by any subordinate legislation introduced as a result of the UK exiting the European Union, then this scheme is to be interpreted inclusively, as incorporating those legislative changes.
16. Any interpretation of this scheme shall be in accordance with the Council's wishes that the scheme shall not be construed restrictively.
17. The explanatory note at the beginning of the terms of delegations of each Committee and Sub-Committee which follows this Introduction is for information only and shall not be construed as part of the terms of reference themselves.

18. In this scheme of delegations the “Full Council” means Brighton & Hove City Council sitting as the Council (as opposed to acting through Committees, Sub-Committees or officers) and “Council” means Brighton & Hove City Council as a Local Authority.

## **B. General Delegated Powers**

Each Committee or Sub-Committee shall have the following powers and duties in relation to its functions in addition to those set out under each Committee and Sub-Committee's terms of reference:

1. To implement best value in relation to its functions;
2. To approve bids for European and national funding for schemes in relation its functions;
3. To control and manage such resources (finance, IT, property etc.) as may from time to time be assigned to it and to authorise the acquisition or disposal of property (other than land) for the purposes of its functions;
4. To declare land surplus to the requirements of the Committee's area of service. Management and future use of the land will be transferred to the Policy & Resources Committee. Any proposed acquisition or disposal of land not covered by the Scheme of Delegation to Officers shall be referred to the Policy & Resources Committee;
5. Subject to the Council's employment policies and procedures, to determine all employment matters within its service area;
6. To be responsible for quality and equalities matters in relation to its functions
7. To have due regard in the exercise of its functions to the need to prevent people from being drawn into terrorism.
8. To appoint task and finish member Working Groups which are time-limited (six months, with the option to extend for a further six months), in order to carry out focused pieces of work, reporting back regularly to their parent body.

## **C. General Advisory Powers**

Each Committee and Sub-Committee shall have the following advisory functions:

1. To consider and make recommendations to Full Council on matters relating to or affecting the Committee or Sub-Committee's functions, including developing plans and strategies forming part of the policy framework for adoption by Full Council, where the power to make decisions is reserved to Full Council by law, Standing Orders or this Scheme of Delegations to Committees and Sub-Committees;
2. To consider and make recommendations to another Committee or Sub-Committee on matters related to or affecting its functions;
3. To consider and make recommendations to any body of the Council where it is considered desirable to do so.

#### **D. Member Working Groups – ad hoc and permanent**

Member Working Groups may be set up to support the Council's decision-making in a particular area. They may be tasked with making recommendations and/ or comments to their parent Committee as a way of reducing Committee workloads.

Member Working Groups do not have decision-making powers. They are established on a cross party basis and substitutions are permitted. The Chair of each permanent Member Working group will be appointed from the council's largest political group unless Policy & Resources Committee has made alternative express provision. While all Member Working Groups are expected to achieve consensus where possible, the Chair shall have the right to exercise a casting vote.

The principles for setting up a Member Working Group are as follows:

1. Member Working Groups may either be 'task and finish' member groups (time-limited for six months with the option of being extended once, for a further six months) or permanent groups (likely to be required for at least a year).
2. Permanent groups may only be established by the Council's Policy & Resources Committee or by full Council, normally at the recommendation of the parent Committee. Their Terms of Reference are published in the Council's Constitution. They are reviewed annually and will only be retained where clear evidence of their effectiveness has been identified.
3. Ad hoc groups may be set up by any of the Council's Committees. The parent Committee must agree their Terms of Reference and will receive reports back on a regular basis (at least annually). Where there is a need to continue an ad hoc group for twelve months or more, then it must be established as a permanent Member Working Group. These Groups were previously sometimes referred to as 'Policy Panels', a term no longer in use.
4. All Member Working Groups will use a standard Terms of Reference template to ensure consistency and good governance. Member Working Groups will normally include in their membership the Chair or Deputy Chair of the parent Committee, although their composition may include members who have not been appointed to the parent Committee where the parent Committee so decides.

## **TERMS OF REFERENCE OF COMMITTEES**

### **POLICY & RESOURCES COMMITTEE**

#### **Explanatory Note**

This Committee has overall responsibility for the financial and other resources of the Council, for developing the Council's strategy and policy based on national government and local priorities, and for the development of partnership working. It also has responsibility for many of the services delivered to residents and customers. Its specific functions are set out in the following paragraphs. It furthermore has responsibility for considering all proposals with corporate budgetary or policy implications referred to it by a service Committee.

#### **Delegated Functions**

To exercise the functions of the Council as follows:

#### **1. Policy and Strategy**

To formulate, co-ordinate and implement corporate policies and strategies and make decisions relating to such matters to the extent that they are not reserved to Full Council.

#### **2. Finance and Other Resources**

- (a) To establish the framework for the allocation, control and management of the Council's resources including finance, assets, IT, land and other property;
- (b) To formulate budget proposals for adoption by the Council;
- (c) To calculate of the Council Tax Base;
- (d) To make decisions or grant authorisations on expenditure in accordance with the requirements of financial standing orders;
- (e) To deal with all financial services, including risk management, insurance and external and internal audit arrangements;
- (f) To oversee the Council's information governance arrangements.  
(note: this power is given concurrently to the Audit and Standards Committee).

#### **3. Economic Growth and Regeneration**

- (a) To exercise the Council's functions and partnerships regarding the promotion of economic growth and the establishment and development of business.
- (b) To promote and develop the economic fundamentals of Brighton & Hove in areas such as adult skills, productivity, development sites etc.

#### **3. Major Built Environment Projects**

- (a) To oversee the progress of major projects (including major building, infrastructure or other projects involving the erection or significant alteration

of major permanent structures or landmarks) undertaken by the Council and advise the Policy & Resources Committee as appropriate.

- (b) To review major projects and any project Boards having regard to capacity to deliver, corporate priorities and resources, and advise the Policy & Resources Committee as appropriate.

## **5. Partnerships**

- (a) To set up, develop and review partnerships, including, but not limited to, the Local Strategic Partnership;
- (b) To co-ordinate, develop, adopt and review the Sustainable Community Strategy and make recommendations to Full Council.

## **6. Adult Learning and Employment**

- (a) To discharge the Council's functions under the arrangements with the Education and Skills Funding Agency and Education Funding Agency for the provision of adult education; and
- (b) To discharge the Council's functions regarding the employment of physically disabled persons and youths, providing that the functions regarding youth employment shall be limited to the management of the existing establishment in Hove.

## **7. Neighbourhood Renewal**

To discharge the Council's functions in respect of neighbourhood renewal, which include:

- (a) developing and implementing the neighbourhood renewal strategy for Brighton & Hove in order to narrow the gap between the most deprived neighbourhoods and the rest of Brighton & Hove, under the themes set by national Government of housing, health, liveability, crime, education and employment; and
- (b) acting as the accountable body for the Neighbourhood Renewal Fund on behalf of the Local Strategic Partnership.

## **8. Grants**

To deal with grants to community organisations and non-profit making bodies in the area of the Council providing that this shall not include grants in respect of educational charities which are the responsibility of the Children, Young People & Skills Committee.

## **9. Management of Establishments**

To deal with all matters concerning establishments as are more particularly set out under the Scheme of Delegation to Officers.

## **10. Catering Services in Council Establishments**

To deal with all matters in connection with the provision of catering services in Council establishments used primarily by Council employees.

**11. Best Value**

To establish the framework for the achievement of best value by the Council.

**12. Human Resources**

To establish the framework for Human Resources policies and procedures and discharge the Council's functions as an employer where this is exercisable by a Committee.

**13. Dismissal of certain statutory officers**

To discharge the function of a statutory panel in relation to the dismissal of the Chief Executive, the Monitoring Officer or the Chief Finance Officer and to make arrangements for this function to be discharged through the Personnel Appeals Panel.

**14. Property Management**

- (a) To manage land held for the purposes of the functions of the Committee, corporately held property and land declared surplus to the requirements of a Committee or the service area of a Director by the relevant Committee or Director.
- (b) To authorise the acquisition or disposal of any land held by the Council providing that any proposal for the transfer of housing land which requires the consent of the Secretary of State shall be referred to Full Council with recommendations.

**15. Appointment to outside bodies**

To appoint representatives to outside bodies between Annual Council meetings where the timing is such that it will be more expedient for the appointment to be made by the Policy & Resources Committee rather than Full Council.

**16. Public Safety – Civil Contingencies**

To exercise the Council's functions in relation to emergency planning and business continuity, including the Council's functions under the Civil Contingencies Act 2004.

**17. Communities**

To co-ordinate and lead on the Council's functions in connection with community engagement and voluntary organisations.

**18. Equalities**

To co-ordinate and lead on the Council's functions in relation to Equalities and Inclusion.

Note: the Tourism, Equalities, Communities & Culture Committee has concurrent delegated powers for Equalities and Inclusion.

**19. Constitution**

- (a) To receive reports on and monitor the operation of the Constitution;
- (b) To make recommendations to the Council with a view to improving the effectiveness, accountability and transparency of the decision-making process.

**20. Members' Allowances**

To consider the recommendations of the Independent Remuneration Panel and advise the Council as appropriate.

**21. Member budgets**

- a) To develop the Council's approach to Member budgets within the framework set by the Policy & Resources Committee.
- b) To oversee all aspects of the delivery of the Member budget process.

**22 Customer Services, including Digital First (and Digital Brighton & Hove)**

To monitor and review the Council's delivery of its customer services across all areas including its Digital First transformation programme as well as digital inclusion.

**23. General Powers**

- (a) To discharge all other functions of the Council not specifically delegated to another Committee or reserved to Full Council under the law, this Scheme of Delegation to Committees and Sub-Committees, Council Standing Orders or Council Procedure Rules;
- (b) To deal with matters referred to the Committee by other Committees or Sub-Committees as having corporate budgetary or policy implications.

**24. Sub-Committees, Task Groups, Member Panels and Consultation Forums**

To be responsible for the setting up, review and abolition of Joint Committees, Sub-Committees, permanent member Working Groups, permanent Member panels, consultation forums and commissions.

**25. Miscellaneous Service Functions**

To exercise the Council's functions in relation to the following services/functions:

- (a) Electoral and ceremonial matters relevant to the Council;
- (b) Matters concerning East Sussex Fire & Rescue Service;
- (c) Legal Services;
- (d) Complaints Services;
- (e) Performance management
- (f) Corporate Procurement;
- (g) Health and safety at work (in so far as it relates to the Council as an employer);
- (h) Revenues and Benefits, including Housing Benefit and Council Tax Reduction, the administration, collection and enforcement of Council Tax and Non-Domestic Rates;
- (i) Registration of births, deaths, marriages, partnerships and associated functions;
- (j) Local Land Charges;
- (k) Corporate Information and Communication Technology Services;
- (l) Corporate communications
- (m) Democratic Services.

## **PERSONNEL APPEALS PANEL**

### **Explanatory Note**

This Panel has the status of a Sub-Committee of Policy & Resources Committee and will deal with appeals against dismissals, grading and other grievances in accordance with agreed personnel procedures. It will also discharge the function of considering dismissals of the Chief Executive, the Monitoring Officer and the Chief Finance Officer.

### **Delegated Functions**

1. To exercise the function of the Council in relation to determining appeals against dismissals, grading and other personnel related grievances in accordance with corporate policies and procedures.
2. To exercise the function of considering the dismissal of the Chief Executive, the Monitoring Officer or the Chief Finance Officer and making a recommendation of dismissal to Full Council. Where the Personnel Appeals Panel performs this function, two independent persons shall be invited to join the Personnel Appeals Panel.

**[NOTE:** a pool of trained Members will be maintained for this Sub-Committee and members of the pool will be called on in the first instance to form an appeals panel. However, any Member will be able to sit on the Personnel Appeals Panel and substitute for any designated member of the Sub-Committee.]

## **POLICY & RESOURCES (RECOVERY) SUB-COMMITTEE**

**Explanatory Note:** This Panel was set up in April 2020 in order to exercise all of the council's functions to progress recovery from the Covid-19 pandemic. It has the status of a Sub-Committee of Policy & Resources Committee.

### **Delegated functions**

To exercise all the Council's functions regarding recovery from the Covid-19 pandemic, including but not limited to:

- Co-ordination of the economic recovery within the City in collaboration with businesses, residents and partner organisations;
- Taking all steps necessary or incidental to facilitating the economic, social and environmental recovery of city from the effects of Covid-19, including housing, economic inclusion, food poverty and community cohesion;
- To approve proposals, make decisions and authorise any expenditure related to or are conducive to the success of the recovery programme.
- To oversee the co-ordination of the recovery effort with local, regional and national bodies, including co-ordinating a lobbying strategy where appropriate

### **Referred functions**

- To consider any matters related to the impact of Covid-19 on the economic, social or environmental wellbeing of the city and make representations to the appropriate body.

### **Composition**

The sub-committee shall consist of 5 Members with the seats allocated to the political groups in accordance with proportionality principles.

### **Chairing**

The sub-committee shall be chaired by the Chair of the Policy & Resources Committee or such other person as may from time to time be appointed by full Council or the Policy & Resources Committee.

## **HOUSING COMMITTEE**

### **Explanatory Note**

This Committee has overall responsibility for the Council's housing functions, including Council housing, homelessness, allocations and standards of housing in the area.

### **Delegated functions**

1. To discharge the Council's functions as a housing authority and, without prejudice to the generality of this paragraph, to discharge the specific functions set out in the following paragraphs.

2. **Strategic and Private Sector Housing**

To discharge the Council's functions in relation to:

- (a) The Council's housing strategy;
- (b) Homelessness and the allocation of housing;
- (c) Private sector housing, including taking action to remedy overcrowding, disrepair, unfitness and statutory nuisances; to promote fire safety in private sector housing and the Council's functions in relation to houses in multiple occupation;
- (d) Tenancy relations and the provision of housing advice;
- (e) Housing loans and grants.

3. **Housing Landlord Functions**

To discharge the Council's functions as a housing landlord including the management (including demolition) of property within the Housing Revenue Account and associated properties.

4. **Housing Related Support Services**

To exercise the Council's functions for the commissioning of housing related support services.

5. **Street homelessness**

To coordinate the Council's policies and actions with a view to reducing and eliminating street homelessness and, in conjunction with the Policy & Resources Committee and the Health and Wellbeing Board, to ensure that appropriate action is taken.

6. **Authorised and unauthorised sites and encampments**

To exercise the Council's functions in relation to the management of authorised and unauthorised sites and encampments, this to include all activities necessary

or incidental to the Council's performance of its responsibilities in relation to the following:

- a) Gypsies, Roma and Travellers;
- b) Van dwellers.

## **CHILDREN, YOUNG PEOPLE & SKILLS COMMITTEE**

### **Explanatory Note**

This Committee is responsible for education, children's health and social care services, public health relating to children and young people, including services to young people up to the age of 19, and exercises the council's functions as Local Education Authority. Many of these services are delivered or commissioned jointly with the Health Service and, to reflect this, the Health and Wellbeing Board has concurrent delegated powers with this Committee. The Children, Young People & Skills Committee is also the Council's Children and Young People's Trust Board for the purposes of the Children Act 2004.

### **Delegated Functions**

To exercise the functions of the Council:

1. as a Local Education Authority under any enactment relating to education, youth services and the employment of children;
2. in relation to educational charities;
3. in partnership arrangements with other bodies connected with the delivery of education;
4. in relation to social services for children and young people;
5. in partnership arrangements with other bodies connected with the delivery of services for children, young people and families;
6. regarding families in connection with the functions of the Committee set out above or where there are no other arrangements made under this Scheme of Delegation to Committees and Sub-Committees;
7. under or in connection with the children and young people's partnership arrangements made with health bodies pursuant to section 75 of the National Health Service Act 2006 and section 10 of the Children Act 2004 ("the section 75 Agreements");
8. in relation to children's public health including but not limited to:
  - sexual health;
  - physical activity, obesity and tobacco control programmes;
  - prevention and early detection;
  - immunisation;
  - mental health;
  - NHS health checks and workplace health programmes;
  - dental health;
  - social exclusion;
  - seasonal mortality;
9. in relation to those aspects of children's public health which transfer to the Council under the Health and Social Care Act 2012.

### **Corporate Parenting**

10. To discharge the Council's functions as Corporate Parent for its children in care and care leavers, in conjunction with relevant Council Committees, Partnership Boards and other agencies; and
11. To receive reports from the Corporate Parenting Board in relation to the Council's looked after children.

### **Learning Disabilities**

12. To discharge the Council's functions regarding children's learning disabilities.

### **Joint working with the Clinical Commissioning Group**

13. The Committee may meet concurrently with the Clinical Commissioning Group as necessary in order to discuss and develop jointly commissioned services in relation to children and young people.

NOTE: All the above functions shall be exercised subject to any limitations in the section 75 Agreements.

# **TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE**

## **Explanatory Note**

The Committee has responsibility for co-ordinating the Council's approach to Equalities, communities, neighbourhoods and the third sector, including community safety and inclusion. The Committee is also responsible for the Council's functions relating to planning policy, regeneration, culture, tourism and leisure.

## **Delegated Functions**

### **1. Active Citizenship and Community Resilience**

- a) To develop, oversee and make decisions regarding the proposals to increase active citizenship and make recommendations to Policy & Resources Committee.
- b) To develop, oversee and make decisions regarding the proposals to improve community resilience and make recommendations to Policy & Resources Committee.

### **2. Community Wealth Building and Social Value**

To exercise the Council's functions regarding the promotion of community wealth and social value including, but not limited to the co-ordination of policies and make recommendations to the relevant Committees of the Council.

### **3. Community safety**

To discharge the Council's functions regarding community safety, crime and disorder and associated matters in particular where these require Member-level engagement and consultation with the community.

NOTE: The Committee will work in conjunction with the Brighton & Hove Safe in the City Partnership and the work of the two bodies will be co-ordinated to ensure that they complement each other and avoid duplication where possible.

### **4. Community and voluntary sector, including social impact bonds**

- a) To develop, oversee and make decisions regarding the implementation of the Council's Communities and Third Sector Policy, investment in and support to the community and voluntary sector.
- b) To exercise the Council's functions in relation to social impact bonds delivered by the community and voluntary sector.

### **5. Crime and Disorder Committee**

To be the designated Crime and Disorder Committee as required under the Police and Justice Act 2006.

## **6. Equalities**

- a) To discharge the Council's functions regarding equalities and inclusion.
- b) Implementation of equalities related scrutiny or other recommendations, including Trans Scrutiny Report.

## **7. Neighbourhood and community development**

- a) To consider options and develop proposals for neighbourhood arrangements, including capacity building, use of assets and devolving powers and services to neighbourhoods and making recommendations to the Policy & Resources Committee.
- b) To monitor and review the operation of any neighbourhood based delivery of services and make recommendations as necessary.

## **8. Prevent duty**

- a) Carrying out its functions with due regard to the statutory Prevent duty imposed by the Counter-Terrorism and Security Act 2015, which requires the Council to have due regard to the need to prevent people being drawn into terrorism.
- b) Monitoring risk and otherwise co-ordinating Prevent activity across the Council's functions.

## **9. Building Control**

To exercise the Council's functions regarding building control.

## **10. Conservation and Design**

To exercise the Council's functions in relation to conservation and design including the Hove Borough Council Act 1976.

## **11. Culture, Arts and Heritage**

To exercise the Council's functions in relation to culture, including arts, entertainment, cultural activities and heritage.

## **12. Events**

To exercise the Council's functions in relation to events, including the annual programme of entertainment events (providing that if the relevant Director, or other officer with delegated powers, is of the view that the event is a major event or has corporate budgetary or policy implications the matter shall be referred to the Policy & Resources Committee).

## **13. Leisure, Sports and Recreation**

To exercise the Council's functions in relation to the provision and management of leisure, sports and recreation facilities.

#### **14. Libraries and Museums**

To exercise the Council's functions in relation to libraries, museums, art galleries, historic buildings and their gardens and the functions of the Council regarding public records.

#### **15. Planning**

To exercise the Council's functions as the local planning authority (to the extent that they are not development control functions delegated to the Planning Committee), including the formulation and development of the Development Plan Documents prior to their adoption by Full Council.

#### **16. Tourism & Marketing**

To exercise the Council's functions in relation to tourism, marketing and conferences.

## **ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE**

### **Explanatory Note**

This Committee is responsible for the council's functions relating to parks and open spaces, authorised and unauthorised sites and encampments, waste, coast protection, the seafront, highways management, traffic management and transport, parking and sustainability.

### **Delegated Functions**

#### **1. Parks and Open Spaces**

To exercise the Council's functions in relation to parks and open spaces to the following extent:-

- (a) provision, management and control of parks and open spaces (except those held for housing purposes);
- (b) making countryside management arrangements in liaison with the South Downs National Park Authority and other environmental bodies;
- (c) provision, management and control of allotments and smallholdings;
- (d) as commons registration authority.

#### **2. Environmental Health**

To exercise the Council's functions in relation to environmental health, air pollution control, health and safety at work (except in so far as it relates to the Council as an employer), public conveniences, food safety, control of nuisances, including noise control and control of dogs.

#### **3. Trading Standards**

To exercise the Council's functions regarding trading standards, including but not limited to consumer protection, product safety, fair trading, metrology, food standards and animal health.

#### **4. Waste**

To exercise the Council's functions in relation to waste and as waste collection authority, waste disposal authority and litter authority, including dealing with litter, street cleansing, abandoned vehicles and dog fouling.

#### **5. Coast Protection and Flood Defence**

To exercise the Council's functions as a coast protection authority and a lead local flood authority.

#### **6. Scrutiny of Flood and Coastal Erosion Plans**

To undertake the scrutiny of flood and coastal erosion plans as required by the Localism Act 2011.

**7. Seafront**

To exercise the Council's functions regarding the esplanade, beach and foreshore.

**8. Bereavement and Coroner's Services;**

To exercise the Council's functions in relation to bereavement services and the Coroner's service.

**9. Sustainability**

To co-ordinate the Council's role and response to cross-cutting sustainability issues such as reducing carbon emissions, projections of a changing climate locally, improving resource efficiency and developing sustainable energy.

**10. Highways Management**

To exercise the Council's functions in relation to all highways matters and as highway authority, street authority, bridge authority, including but not limited to highways, bridges, private streets and rights of way.

**11. Traffic Management and Transport**

- (a) To manage the provision of transport services for service departments including home-school transport and transport for social services;
- (b) To exercise the Council's functions in relation to traffic management and transport and as traffic authority, including but not limited to public passenger transport and the co-ordination of transport for service users;
- (c) To consider and make decisions on rights of way issues where objections have been received and not withdrawn or otherwise resolved;
- (d) To consider and make decisions on proposed traffic regulation orders where either six or more objections have been received in and have not been resolved or one or more members have opted to 'call in' any proposal to make a traffic regulation order, whether or not any objection(s) have been received in.
- (e) To exercise the Council's powers regarding travel concessions.

**12. Parking**

To exercise the Council's functions in relation to parking, including on and off street parking and civil parking enforcement.

### **13. Public Space**

To exercise the council's functions regarding spaces to which the public have rights of access and consisting of the highway, street furniture on the highway and open spaces or parts of open spaces immediately adjacent to the highway to which the public have access.

## **PLANNING COMMITTEE**

### **Explanatory Note**

This Committee exercises the Council's functions in relation to development control matters.

### **Delegated functions**

To consider and determine applications submitted under the Planning Acts for planning permission, permission in principle, technical details consent, listed building consent, and reserved matters pursuant to major planning applications.

2. To consider and determine applications for the display of advertisements submitted under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
3. To determine whether prior approval applications for the construction, installation, alteration or replacement of telecommunications masts submitted under Part 24 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 should be granted or refused.
4. To exercise any other function of the Council under the Planning Acts whether as a local planning authority or otherwise which may be referred to it by the Executive Director of Economy, Environment and Culture or other officer authorised by them.

**[NOTE:** The Council may approve a restricted pool of Members to serve as members or substitute members of the Committee, all of whom have undergone basic training and continue to undergo the mandatory training for such Members. The mandatory training will take place at least twice a year. Where such a pool has been approved, any meeting of the Committee must comprise only Members from the pool; no substitution by non-pool Members will be allowed.]

## LICENSING COMMITTEE

### Explanatory Note

The Licensing Committee is responsible for discharging the Council's functions under the Licensing Act 2003. It also has responsibility for all licensing and registration functions not covered by the Licensing Act 2003. The day to day decisions on individual applications are dealt with by the Licensing Panel.

### Delegated Functions

#### 1. Licensing Act 2003

- (a) To discharge all functions which, under the Act, stand referred to a Licensing Committee, including, but not limited to the following:
  - (i) Applications for a personal licences;
  - (ii) Applications for premises licence/club premises certificate;
  - (iii) Applications for provisional statement;
  - (iv) Applications for Interim Authorities.
- (b) The powers of the Committee under 1(a) shall include the power to deal with all applicants for the grant, renewal, variation or revocation of any licence or consent or any actions which a Licensing Committee is required or authorised to take under the Licensing Act 2003.
- (c) The delegated powers of the Committee shall not include the adoption or review of the Statement of Licensing Policy (which are functions of Full Council).

#### 2. Gambling Act 2005

- (a) To discharge all functions which, under the Gambling Act 2005, stand referred to the Licensing Committee, including but not limited to the following:
  - (i) applications for premises licences;
  - (ii) applications for provisional statements;
  - (iii) applications for club gaming / club machine permits.
- (b) The powers of the Committee under 2(a) shall include the power to deal with all applications for the grant, renewal, variation, cancellation or revocation of any licence or consent or any actions which a Licensing Committee is required or authorised to take under the Gambling Act 2005.
- (c) The powers of the Committee shall also include the power to set fees pursuant to section 212 of the Gambling Act 2005, but shall not include the power to adopt or review the Statement of Licensing Policy, which is a function of Full Council.

#### 3. Other Licensing and Registration Functions

- (a) To discharge all the Council's functions regarding licensing and registration and any associated or connected functions.

**Referred Functions**

1. To advise Full Council regarding the Statement of Licensing Policy under the Gambling Act 2005.
2. To advise Full Council regarding the Statement of Licensing Policy under the Licensing Act 2003.
3. To advise the Council and other Committees on matters related to functions under the Licensing Act 2003 and the Gambling Act 2005, but are not themselves Licensing Act or Gambling Act functions.

**NOTE:** The Licensing Committee and the Licensing Panel may operate as two separate Committees and Sub-Committees respectively with identical membership. The functions of the two separate Committees/Sub-Committees shall relate to Licensing Act 2003 and Gambling Act 2005 functions and non-Licensing Act functions respectively.

## LICENSING PANEL

### Explanatory Note

The Licensing Panel is a Sub-Committee of the Licensing Committee. Its functions are to:-

- Hear applications under the Licensing Act 2003 and the Gambling Act 2005 where the matter is authorised or required to be dealt with by a Committee. These are usually, but not necessarily, cases where Officers do not have delegated powers or a hearing is required;
- Deal with appeals against licensing and registration decisions and cases where officers do not have the power to make determinations;
- Serve as the appellate Committee where there is a right of appeal from a decision of an Officer and no other arrangements have been made under the Constitution; and
- Determine any other matter of a quasi-judicial nature which may be referred to it.

### Delegated functions

#### 1. Licensing Act Functions

- (a) To deal with applications under the Licensing Act 2003 and make determinations on all matters required or authorised by the Act to be dealt with by a Committee.
- (b) The powers under (a) above shall not include the adoption of the Statement of Licensing Policy.
- (c) Where, in the opinion of the Executive Director of Neighbourhoods, Communities and Housing or other officer authorised by them, after consultation with the Chair of the Licensing Committee, an application is a major application having regard to the licensing objectives, the Director or other authorised officer may refer the matter to the Licensing Committee.

#### 2. Gambling Act 2005 Functions

- (a) To deal with applications under the Gambling Act 2005 and make determinations on all matters required or authorised by the Act to be dealt with by a Committee.
- (b) The powers under (a) above shall not include the adoption of the Statement of Licensing Policy.
- (c) Where, in the opinion of the Executive Director of Housing, Neighbourhoods & Communities or other Officer authorised by them, after consultation with the Chair of the Licensing Committee, an application is a major application having regard to the licensing objectives, the Director or authorised Officer may refer the matter to the Licensing Committee.

### **3. Other Licensing and Registration Functions**

Within the policy framework set by the Council or the Licensing Committee, to exercise the Council's functions in relation to licensing and registration providing that the power shall not include the adoption, revocation or amendments of policies.

### **4. Determinations and Appeals**

To hear and determine cases:

- (a) where there is a right (under the Human Rights Act 1998 or otherwise) to be given the opportunity to appear before and be heard by a Committee or Sub-Committee of the Council and no other arrangements have been made under the Council's Constitution, or
- (b) where the case is referred to the Licensing Panel as it is considered to be a suitable forum for the determination of matters of fact and/or law, for example determinations relating to rights of way or the Council's definitive map of rights of way.

### **5. General**

For the avoidance of doubt and without prejudice to the generality of 1 to 3 above, the powers of the Panel under those provisions shall include the power to deal with all applications for the grant, renewal, variation or revocation of any licence or consent or any actions (other than the adoption or review of a Licensing Policy) which a Licensing Committee is required or authorised to take under the Licensing Act 2003 or the Gambling Act 2005.

- NOTE:
- (1) Only Members who are members of the Licensing Committee may serve as members or substitute members of the Licensing Panel.
  - (2) The Licensing Committee and the Licensing Panel may operate as two separate Committees and Sub-Committees respectively with identical membership. The functions of the two separate Committees/Sub-Committees shall relate to Licensing Act 2003 and Gambling Act 2005 functions and non-Licensing Act functions respectively.

## **AUDIT & STANDARDS COMMITTEE**

### **Explanatory Note**

The audit functions of this Committee relate to the Council's arrangements for the discharge of its powers and duties in connection with financial governance and stewardship, risk management and audit. It plays a key role in acting as a critical friend to the Council and in helping to build trust in the Council's arrangements. The Committee receives referrals from and makes recommendations to the Council, from/to Policy & Resources Committee, to Officers or to other relevant body within the Council.

The Standards functions of this Committee seek to ensure that the Members, Co-opted Members and Officers of the Council observe high ethical standards in performing their duties. These functions include advising the Council on its Codes of Conduct and administering related complaints and dispensation procedures.

In addition to the Members who serve on the Audit & Standards Committee, the Committee includes at least two independent persons who are not Members. They are appointed under Chapter 7 of the Localism Act, or otherwise co-opted, and act in an advisory capacity with no voting powers.

In the terms of reference of this Committee, a "Member" is an elected Member and a "Co-opted Member" is a person co-opted by the Council, for example to advise or assist a Committee or Sub-Committee of the Council.

### **General Audit and Standards Delegated Functions**

To review such parts of the Constitution as may be referred to the Committee by the Policy & Resources Committee and to make recommendations to the Policy & Resources Committee and the Council.

To appoint, co-opt or (in any case where only the Council has power) to recommend the appointment or co-option of a minimum of two independent persons:

- to give general assistance to the Committee in the exercise of its functions; and
- to give views on allegations of failure to comply with a Code of Conduct as required by Chapter 7 of the Localism Act 2011.

To:

- review and agree the Council's whistleblowing policy;
- have an overview of complaints handling and Local Ombudsman investigations;
- review and agree activity, policy and guidance in relation to the Regulation of Investigatory Powers Act 2000.

To deal with any audit or ethical standards issues which may arise in relation to partnership working, Joint Committees and other Local Authorities or bodies.

To oversee the Council's information governance arrangements\*. This will include oversight of those of the Council's policies, procedures and processes which concern

information governance and which operate across the Council's internal and external-facing activities.

To ensure arrangements are made for the training and development of Members, Co-opted Members and Officers on audit, ethical and probity matters, including Code of Conduct issues.

To support and advise the Chief Finance Officer and the Monitoring Officer in their statutory roles.

*\*NOTE: The Policy & Resources Committee has concurrent delegated powers in respect of Information Governance.*

### **Delegated Audit Functions**

To carry out independent scrutiny and examination of the Council's financial and non-financial processes, procedures and practices to the extent that they affect the Council's control environment and exposure to risk, with a view to providing assurance on the adequacy and effectiveness of:

- the work of internal and external audit;
- the governance arrangements of the Council and its services;
- the risk management and performance management frameworks and the associated control environment;
- the arrangements to secure value for money;
- the financial management process;
- arrangements for the prevention and detection of fraud and corruption.

To meet the requirements of the Accounts and Audit Regulations 2015 in respect of:

- conducting an annual review of the effectiveness of the system of internal control;
- conducting an annual review of the effectiveness of internal audit;
- reviewing the outcome of annual review of governance arrangements and approving the Annual Governance Statement, ensuring it contains any actions for improvement; and
- considering and approving the Council's annual Statement of Accounts.

To consider the External Auditor's Annual Audit Plan, Audit Results Report, Annual Audit Letter and other relevant reports.

To consider and agree the Internal Strategy and Annual Audit Plan, Head of Internal Audit's Annual Internal Audit Report including Opinion, periodic progress reports and other relevant internal audit reports.

To consider and agree the Head of Internal Audit's Annual Fraud & Corruption Report and consider and approve the Council's Counter Fraud Strategy.

### **Delegated Standards Functions**

To advise the Council on the adoption, revision or replacement of Codes of Conduct for (a) Members and Co-opted Members and (b) Officers;

To exercise all other functions of the Council in relation to ethical standards, in particular those under Chapter 7 of the Localism Act, including the following:

- promoting and maintaining high standards of conduct within the Council and monitoring the operations of the Council's Codes of Conduct and registers of interests;
- in relation to allegations that a Member or Co-opted Member has failed to comply with the Member's Code of Conduct, putting in place arrangements to investigate and make decisions;
- supporting the Monitoring Officer in the exercise of the Monitoring Officer's ethical standards functions, in particular the duty to establish and maintain registers of interests for the Council and for Rottingdean Parish Council;
- in relation to Members or Co-opted Members with pecuniary interests, putting in place arrangements to grant dispensations, in appropriate cases, from the restrictions on speaking and/or voting.

**NOTE:** With the exception of the adoption, revision or replacement of the Codes of Conduct referred to above, the Audit and Standards Committee may develop and adopt its own procedures and protocols.

## **STANDARDS PANEL**

### **Explanatory Note**

The Standards Panel of the Audit and Standards Committee is a Sub-Committee and its main role is to carry out any functions delegated to it by the Audit and Standards Committee in relation to (a) allegations that Members or Co-opted Members have breached the Code of Conduct for Members and (b) the granting of dispensations to Members or Co-opted Members with pecuniary interests. Panel membership is determined in accordance with procedures approved by the Audit and Standards Committee.

### **Delegated Functions**

In accordance with procedures approved by the Audit and Standards Committee:-

1. To carry out any arrangements delegated to the Panel by the Audit and Standards Committee in connection with investigating and making decisions on allegations that a Member or Co-opted Member has failed to comply with the Code of Conduct.
2. To hear and determine applications from Members or Co-opted Members with pecuniary interests and in appropriate cases to grant dispensations from the restrictions on speaking and/or voting at meetings of the Council, its Committees, Sub-Committees, Joint Committees or Joint Sub-Committees.
3. To discharge any of other functions of the Audit and Standards Committee which the Committee delegates to the Standards Panel.

## HEALTH AND WELLBEING BOARD

### Explanatory Note

#### General

The Health and Wellbeing Board (HWB) is established as a Committee of the Council pursuant to Section 194 of the Health and Social Care Act 2012 and the Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013.

#### Purpose:

The Brighton & Hove Health and Wellbeing Board brings together key local leaders to improve the health and wellbeing of the population of Brighton & Hove and reduce health inequalities through:

- Developing a shared understanding of the health and wellbeing needs of its communities from pre-birth to end of life including the health inequalities within and between communities;
- Developing a shared focus on the most vulnerable local residents, including Black and minority ethnic communities, people with disabilities, LGBTQ communities, people experiencing mental health problems and older people;
- Providing system leadership to secure collaboration to meet these needs more effectively;
- Having strategic influence over commissioning decisions across health, public health and social care encouraging integration where appropriate;
- Recognising the impact of the wider determinants of health on health and wellbeing;
- Involving patient and service user representatives and councillors in commissioning decisions.

The HWB is responsible for the co-ordinated delivery of services across adult social care and public health. This includes decision making in relation to adult social care and health services.

#### Composition

##### Voting members

5 elected Members

2 CCG representatives

One representative of Brighton & Sussex University Hospitals NHS Trust (or its successor organisation)

One representative of Sussex Partnership NHS Foundation Trust

One representative of Sussex Community NHS Foundation Trust

##### Non-voting members

Representative from HealthWatch Brighton & Hove

Representative from NHS England

Executive Director of Families, Children and Learning

Executive Director of Health and Adult Social Care

Director of Public Health

Chief Executive, Brighton & Hove City Council

One representative from Children's Local Safeguarding Partnership  
Two representatives from the Community & Voluntary Sector  
Chair of Safeguarding Adults Board

## **Quorum**

At each meeting, the quorum requirement is at least two voting members from the NHS and two voting members from the Council.

## **Chair and Deputy Chairs and Substitutes**

The Board will be chaired by a member of the Council. One Deputy Chair will be appointed by the CCG and one by the Council.

Council Procedure Rule 18 in relation to the appointment of substitutes will apply to the voting Council members of the Board. For non Council members of the Board, each Board member can nominate up to 3 substitutes and any one of those named substitutes can attend a Board meeting in their place. Substitutes must be from the same organisation/ sector as the Board member and be of sufficient seniority and empowered by the relevant organisation/sector to represent its views; to contribute to decision making in line with the Board's Terms of Reference and to commit resources to the Board's business.

## **Voting arrangements**

It is expected that most decisions will be agreed by consensus but, where this is not the case, then only those members listed as voting members may vote.

The Chair of the Board shall have a second or casting vote.

## **Delegated Functions**

### **General**

1. To provide system leadership relating to the health and wellbeing of the people who live, work and visit Brighton & Hove;
2. To promote integration and joint working in health and social care services across the City in order to improve the health and wellbeing of the people of Brighton & Hove;
3. To lead the health & care recovery responses to the Covid 19 emergency.
4. To oversee local Covid Outbreak Control Planning, including acting as the Local Engagement Group for local outbreak communications.
5. To work in partnership with the Sussex Integrated Care System and the Brighton & Hove Integrated Care Partnership to deliver the NHS Long Term Plan via the Sussex and Brighton & Hove Health & Care Plans.

6. To approve and publish the Joint Strategic Needs Assessment (JSNA) and the Pharmaceutical Needs Assessment for the City;
7. To approve and publish a Joint Health & Wellbeing Strategy (JHWS) for the City, monitoring the outcomes goals set out in the JHWS and using its authority to develop Health and Wellbeing Board joint commissioning priorities which support the delivery of the Health and Wellbeing Strategy.
8. To consider the Clinical Commissioning Group's draft annual commissioning plan and to respond with its opinion as to whether the draft commissioning plan takes proper account of the relevant Joint Health and Wellbeing Strategy;
9. Where considered appropriate by the HWB, to refer its opinion on the CCG annual commissioning plan to the National Health Service Commissioning Board and to provide the CCG with a copy of this referral;
10. To monitor the CCG's Commissioning Plan and any HWB joint commissioning priorities;
11. To oversee and performance manage the planning and delivery of the Better Care Fund.
12. To receive the Local Safeguarding Children's Board's Annual Report for comment; and also the Adults Annual Safeguarding Report;
13. To involve stakeholders, users and the public in quality of life issues and health and wellbeing choices, by
  - communicating and explaining the JHW Strategy;
  - developing and implementing a Communications and Engagement Strategy;
14. To represent Brighton & Hove on health and wellbeing issues at all levels, influencing and negotiating on behalf of the members of the Board and working closely with the local HealthWatch;
15. To appoint members to the Board in compliance with relevant legislation and guidance;
16. To operate in accordance with the Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013;
17. To receive and approve any other plans or strategies that are required either as a matter of law or policy to be approved by the Health and Wellbeing Board;
18. To establish one or more sub-committees to carry out any functions delegated to it by the Board;
19. To establish one or more time limited task and finish groups to carry out work on behalf of the Board.

## **20. Better Care Fund**

To discharge all functions relating to the better care fund that are required or permitted by law to be exercised by the Health and Wellbeing Board, including

- (a) to agree the strategic planning;
- (b) manage the pooled budget;
- (c) oversee and performance manage the planning as well as the practical and financial implementation of the fund.

## **21. Adult Social Services**

- (a) To exercise the social services and health functions of the Council in respect of adults;
- (b) To exercise all of the powers of the Council in relation to the issue of certificates to blind people and the grant of assistance to voluntary organisations exercising functions within its area of delegation;
- (c) To exercise the functions of the Council in relation to the removal to suitable premises of persons in need of care and attention.

## **22. Public Health**

To exercise the Council's functions in respect of public health, including but not limited to:

- sexual health;
- physical activity, obesity, and tobacco control programmes;
- prevention and early detection;
- immunisation;
- mental health;
- NHS Healthcheck and workplace health programmes;
- dental public health;
- social exclusion;
- seasonal mortality.

To exercise any other functions which transferred to the Council under the Health and Social Care Act 2012.

## **23. Partnership with the Health Service**

- (a) To exercise the Council's functions under or in connection with the adult services partnership arrangements made with health bodies pursuant to section 75 of the National Health Service Act 2006 ("the section 75 Agreements").
- (b) To exercise the Council's functions under or in connection with the children and young people's partnership arrangements made with health bodies pursuant to section 75 of the National Health Service Act 2006 and section 10 of the Children Act 2004 ("the section 75 Agreements") to the extent they are in force;

## 24. Learning Disabilities

To discharge the Council's functions regarding adult learning disabilities.

### Referred functions

25. The Board shall have referred functions relating to any matter that has implications for the health and wellbeing of the City.

### Reserved matters

26. The following matters will be reserved from the delegations to the Board or its Sub-Committees:

- Final decisions on any matters that are reserved to full council or the CCG by law and cannot be delegated;
- Final decisions on matters reserved to full Council under the Council's Budget and Policy framework
- Matters that have corporate budgetary or policy implications that go beyond health and wellbeing
- The externalisation (outsourcing) or bringing in-house of any Council services (which shall be referred to the Policy & Resources Committee for final decision.)

### Meeting arrangements

It is expected that the Board will meet up to 3 times per annum. The Chair of the Board, following consultation with the Deputy Chairs, can convene special meetings of the Board as appropriate.

All business of the Board shall be conducted in public in accordance with Section 100A of the Local Government Act 1972 (as amended). When the Board considers exempt information and/or confidential information is provided to Board members in their capacity as members of the Board all Board members agree to respect the confidentiality of the information received and not disclose it to third parties unless required to do so by law or where there is a clear and over-riding public interest in doing so.

To the extent that these Terms of Reference conflict with or differ from Council Procedure Rules, these Terms of Reference set out above shall apply.

### **Annex to Health and Wellbeing Board Terms of Reference (agreed HWB 290714)**

*Council Procedure Rules in relation to Petitions, Questions and Deputations are replaced by the 'Procedure Rules on Public Engagement at Health and Wellbeing Board' set out below. In the case of conflict, these Rules take precedence over the Council Procedure Rules.*

### **Procedure Rules on Public Engagement at Health and Wellbeing Board**

## Petitions

1. At a meeting of the Board, any elected Member or member of the public may present a petition which is submitted in accordance with the Council's Petitions Scheme.
2. The presentation of the petition shall be limited to three minutes, subject to the discretion of the Chair to allow a longer time for the presentation.
3. All petitions that members of the public or elected Members wish to present shall be referred to Democratic Services 10 days in advance of the relevant meeting. The Chair will have the discretion to take a late petition.
4. The Chief Executive of the Council may reject a petition if, following consultation with the Monitoring Officer, it is in their opinion:
  - Not about a matter for which the Health and Wellbeing Board has responsibility;
  - Defamatory, frivolous or vexatious;
  - The same or substantially the same as a petition or question which has previously been put at a meeting of the Health and Wellbeing Board, the Council, a Committee or Sub-Committee in the past six months;
  - Requires the disclosure of confidential or exempt information;
  - From a member of Council staff or NHS staff on matters affecting their employment; or
  - Otherwise inappropriate.
5. The Health and Wellbeing Board will decide how to respond to the petition and shall decide:-
  - To take the action the petition requests; or
  - Not to take the action the petition requests; or
  - To commission further investigation into the matter prior to consideration at a future meeting.

## Public Questions

1. A public question shall be put at a meeting of the Health and Wellbeing Board provided that:-
  - A copy of the question has been delivered to the office of the Chief Executive of the Council by not later than 12 noon on the third working day prior to the day of the Health and Wellbeing Board meeting at which it is to be asked;
  - The name and address of the questioner is indicated on the question;
  - The questioner is present at the time when the question is put;
  - The questioner is not presenting a petition on the same, or substantially the same, issue at the same meeting.

2. A question shall not exceed 100 words in length. The Chief Executive, after consultation with the questioner, may summarise a question to comply with this requirement.
3. A list of the questions of which notice has been given shall be circulated to members of the Board at or before the meeting at which they are to be asked.
4. The Chief Executive of the Council may reject a question if, following consultation with the Monitoring Officer, in their opinion it:
  - Does not relate to a matter on the agenda of the Health and Wellbeing Board for discussion at that meeting;
  - Is defamatory, frivolous or vexatious;
  - Is the same or substantially the same as a petition or question which has previously been put at a meeting of the Health and Wellbeing Board, the Council, a Committee or Sub-Committee in the past six months;
  - Requires the disclosure of confidential or exempt information;
  - Is from a member of Council staff or NHS staff on matters affecting their employment; or
  - Is otherwise inappropriate
5. If the Chair considers that, by reason of a special circumstance, it is desirable that a question shall be asked at a meeting of the Health and Wellbeing Board although due notice of the question has not been given, the Chair may permit the question to be asked.
6. Questions will be asked in the order notice of them was received, except that the Chair may group similar questions together.
7. The questioner may ask one relevant supplementary question.
8. Questions may be answered by the Chair or Deputy Chair or any member of the Health and Wellbeing Board with their agreement.
9. An answer may take the form of:-
  - An oral answer; or
  - A written answer to the member of the public, circulated to the Health and Wellbeing Board and placed on the Council's website; or
  - Where the desired information is contained in a publication, a reference to that publication.
10. No questioner may submit more than one question for answer at the same meeting.

# **BRIGHTON & HOVE COUNCIL ADULT SOCIAL CARE AND PUBLIC HEALTH SUB-COMMITTEE**

## **TERMS OF REFERENCE**

### **Explanatory Note**

The Brighton & Hove Council Adult Social Care and Public Health Sub-Committee is established as a sub-committee of the Brighton & Hove Health & Wellbeing Board pursuant to s102 4B of the Local Government Act 1972 (as modified by the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013).

### **Purpose**

The purpose of the Brighton & Hove Council Adult Social Care and Public Health Sub-Committee is to discharge the functions of Brighton & Hove City Council in relation to adult social care, learning disabilities and public health.

### **Composition**

The sub committee will consist of 5 Members (who it is expected will be the BHCC 5 elected members of the Health and Wellbeing Board)

### **Delegated Functions**

#### **1. Adult Social Services**

- (a) To exercise the social services and health functions of the Council in respect of adults;
- (b) To exercise all of the powers of the Council in relation to the issue of certificates to blind people and the grant of assistance to voluntary organisations exercising functions within its area of delegation;
- (c) To exercise the functions of the Council in relation to the removal to suitable premises of persons in need of care and attention.

#### **2. Public Health**

To exercise the Council's functions in respect of public health, including but not limited to:

- sexual health
- physical activity, obesity, and tobacco control programmes
- prevention and early detection
- immunisation
- mental health
- NHS Healthcheck and workplace health programmes
- dental public health
- social exclusion
- seasonal mortality.

To receive reports from relevant programme boards and related multi-sector committees with a remit for public health in order to inform the Health and Wellbeing Strategy including: the Alcohol Programme Board, the Substance Misuse Programme Board, the Healthy Weight Programme Board and the Sexual Health Programme Board.

### **3. Partnership with the Health Service**

To exercise the Council's functions under or in connection with the partnership arrangements made with health bodies pursuant to Section 75 of the National Health Service Act 2006 and section 10 of the Children Act 2004 to the extent they are in force.

To take funding decisions relating to the Council's contribution to the pooled fund established by the Better Care Fund Section 75 Agreement;

### **4. Learning Disabilities**

To discharge the Council's functions regarding adult Learning Disability services.

### **5. General**

To exercise any other functions which transferred to the Council under the Health and Social Care Act 2012.

### **Minutes of Sub-Committee meetings**

The Health and Wellbeing Board will be informed of the Sub-Committee's decision by the inclusion on its agenda of the minutes of the Sub-Committee's meetings.

### **Meetings**

It is expected that the Adult Social Care and Public Health Sub-Committee will meet up to three times per annum. Special meetings of the Brighton & Hove Council Health and Wellbeing Sub-Committee may be called by the Chair, following consultation with the Deputy Chair, if a decision is required urgently.

It is expected that the Chair will be the Lead Member for Adult Social Care and Health and Deputy Chair will be the Chair of the Health and Wellbeing Board.

The chair of the meeting will have a second or casting vote.

## **TERMS OF REFERENCE OF HEALTH OVERVIEW AND SCRUTINY COMMITTEE**

### **Explanatory Note**

The terms of reference for the Health Overview and Scrutiny Committee are set out in **Part 5** of the Constitution.

## **TERMS OF REFERENCE OF JOINT COMMITTEES**

### **SUSSEX POLICE AND CRIME PANEL**

*[Note:- The Sussex Police and Crime Panel is a statutory Joint Committee of Sussex Local Authorities, established and maintained under section 28 and schedule 6 of the Police Reform and Social Responsibility Act 2011. The constitutional documents set out below have been approved by all the constituent authorities.]*

#### **Constitutional Documents**

The Sussex Police and Crime Panel is a Joint Committee under section 101 and 102 of the Local Government Act 1972. Each of the 15 borough, county, district, and unitary authorities across Sussex shall appoint one member as its representative on the Sussex Police and Crime Panel and may nominate a single named substitute member. The term of office will be determined by a member's own Local Authority and membership of the Sussex Police and Crime Panel ceases if that member ceases to be a member of the appointing Local Authority. Two independent persons will also be co-opted to the Panel, with no provision for substitution. Their term of office shall be one year, renewable up to five years by the Panel. After this time the positions will be re-advertised. There is no maximum term of office for any member or co-opted member of the Panel.

The 15 Local Authorities making up the Sussex Police and Crime Panel and adopting these constitutional arrangements are:

Adur District Council  
Arun District Council  
Brighton and Hove City Council  
Chichester District Council  
Crawley Borough Council  
Eastbourne Borough Council  
East Sussex County Council  
Hastings Borough Council  
Horsham District Council  
Lewes District Council  
Mid Sussex District Council  
Rother District Council  
Wealden District Council  
West Sussex County Council  
Worthing Borough Council

In the event that a Local Authority fails to appoint a member by the required deadline, appointment of a member of that authority shall fall to the Secretary of State for the Home Department.

## **TERMS OF REFERENCE**

*[Note:- These Terms of Reference outline the statutory functions of the Panel contained in the Police Reform and Social Responsibility Act 2011.]*

The Panel will hold the elected Police and Crime Commissioner to account and will seek to work in a constructive manner with the post holder with a view to supporting the effective exercise of their functions within Sussex.

1. To review and make reports or recommendations on the draft police and crime plan, or draft variation, given to the Sussex Police and Crime Panel by the Police and Crime Commissioner which the Commissioner must take into account, and to publish the reports or recommendations.
2. To review, put questions to the Police and Crime Commissioner at a public meeting, and make reports or recommendations (as necessary) on the Commissioner's annual report, and to publish the reports or recommendations.
3. To hold a public confirmation hearing and review, make reports and recommendations (as necessary) in respect of proposed senior appointments (Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner) made by the Police and Crime Commissioner and to publish the reports or recommendations.
4. To hold a public confirmation meeting to review and make reports on the proposed appointment of the Chief Constable including, if necessary, the use of the power of veto by a two thirds majority of the current membership of the Panel and to publish the reports.
5. Upon receiving written notification from the Commissioner of their intention to call upon the Chief Constable to retire or resign, to make recommendations to the Commissioner as to whether or not such resignation or retirement should be called for.
6. To consult the Chief Inspector of Constabulary (where necessary) and hold a private meeting which the Chief Constable and Commissioner may attend to make representations about the requirement to resign or retire and to publish the recommendations made to the Commissioner.
7. To review and make reports and recommendations (as necessary) on the proposed precept including, if necessary, the use of the power of veto by a two thirds majority of the current membership of the Sussex Police and Crime Panel and to publish the reports or recommendations.
8. To review or scrutinise decisions or proposals made, or other action taken, by the Police and Crime Commissioner in connection with the discharge of the Commissioner's functions, which may be in the form of reports or recommendations to the Commissioner which must be published.
9. To fulfil functions in relation to complaints about the Commissioner on conduct matters, in accordance with the responsibilities accorded to the panel by the Police Reform and Social Responsibility Act 2011.
10. To appoint an Acting Police and Crime Commissioner if necessary, where the Commissioner is incapacitated, resigns or is disqualified or suspended.

11. To suspend the Police and Crime Commissioner if it appears to the Sussex Police and Crime Panel that the Commissioner has been charged in the United Kingdom, the Channel Islands or Isle of Man with an offence that carries a maximum term of imprisonment exceeding two years.

12. To delegate, to the extent that it wishes to do so and so far as permitted by law, areas of work to a sub-committee or working group.

13. To require the Police and Crime Commissioner and their staff to attend meetings to give evidence in accordance with statute when deemed necessary for the Panel to discharge its functions.

14. Following a requirement made by the Sussex Police and Crime Panel for the Police and Crime Commissioner to attend a meeting, it may request the attendance of the Chief Constable at that meeting to answer questions which the Panel feels are necessary for the discharge of its functions.

15. To require the Police and Crime Commissioner to respond in writing within a specific timescale to any report or recommendation made by the Sussex Police and Crime Panel to the Commissioner.

16. To undertake any other such functions as are conferred upon the Sussex Police and Crime Panel by the Police Reform and Social Responsibility Act 2011 and any subsequent regulations made under the Act.

## **SUSSEX POLICE AND CRIME PANEL ARRANGEMENTS**

*[Note:- These are the Sussex Police and Crime Panel Arrangements agreed by all the constituent authorities as required by paragraphs 3 and 24 of Schedule 6 of the Police Reform and Social Responsibility Act. The Arrangements may be modified with the agreement of all the constituent authorities.]*

### **Resources**

1. All Home Office funding for the Panel will be received and administered by the Host Authority. The Host Authority for the first full year will be West Sussex County Council.

2. The total costs of running the Sussex Police and Crime Panel shall be contained within the Home Office funding although any Local Authority may provide additional funding or other resources to support the work of the Sussex Police and Crime Panel.

3. An annual budget report shall be submitted to the Sussex Police and Crime Panel by the Host Authority.

4. Constitutional and other specialist support will be provided by the Host Authority, together with creation and maintenance of a website, issuing press releases (with the agreement of the Chairman), and administration of the payroll for member allowances. Additional services can be commissioned as needed, subject to funding being available. All constituent Local Authorities will be encouraged to provide a link from their websites to the Sussex Police and Crime Panel website.

5. The Host Authority will be responsible for the payment of travelling expenses of members of the Sussex Police and Crime Panel, either the price of a second class public transport ticket (receipts must be provided) or a car mileage rate at the level paid by the host authority to its own members for travel expenses. Additional expenses and allowances may be payable by a member's own authority. The Proper Officer of the Host Authority may, with the agreement of the Panel Chairman, authorise any Sussex Police and Crime Panel member to attend relevant conferences or training courses and for this to be paid for at the subsistence rates available from the host authority, within available funding.
6. The Host Authority will provide an attendance list at each meeting or informal meeting of the Sussex Police and Crime Panel or any Sub-Committees or Working Groups. All members of the Sussex Police and Crime Panel should sign the register when attending and this will be used to evidence travel expense claims.
7. The Host Authority will organise at least one training session on an annual/two yearly basis, to coincide with appointments to the Sussex Police and Crime Panel and will provide advice and guidance to any new member appointed.
8. Meetings may be held in any part of Sussex, but will usually be held at 10.30 a.m. at County Hall, Lewes. Meetings will be webcast when funding allows.
9. The Host Authority will be responsible for ensuring that agendas, summons and papers are sent out that comply with the requirements of the Local Government Act 1972. The notice of meeting and summons will be signed by the Proper Officer of the Host Authority.
10. The presumption is that all formal items will be considered in public except for those that meet the Part II confidentiality criteria provided in Section 100A of the Local Government Act 1972. Part I reports, agendas and minutes will be published on the dedicated webpage provided by the Host Authority, to which other Local Authorities are invited to provide a link.
11. The press and public may be excluded from any part of a meeting when the Sussex Police and Crime Panel passes a resolution to that effect, when it considers that exempt information may be given or discussed and that it considers the public interest in keeping the information out of the public domain greater than the public interest in disclosing it. A Part I summary of any such discussions shall be included in the minutes.
12. Members of the Sussex Police and Crime Panel are under an obligation not to disclose any confidential or exempt information that they obtain as a member of the Panel when it has been made clear to them that the information is not in the public domain.
13. Reports to the Sussex Police and Crime Panel must make reference to statutory or legal provisions to which the Panel must have regard.

### **Additional Local Authority Members**

14a. Subject to the agreement of the Home Secretary, Brighton and Hove City Council – as a unitary authority – shall be granted one additional co-opted Local Authority seat on the Sussex Police and Crime Panel to address geographical imbalance. The nomination

of a member for this seat by Brighton and Hove City Council shall, so far as possible, support the Panel in meeting the balanced appointment objective. This member of the Panel will have a one-year period of office.

14b. Subject to the agreement of the Home Secretary, an additional Local Authority member may be appointed from each of the county councils on the agreement of the Sussex Police and Crime Panel, to address any perceived imbalance in political proportionality. This will be considered at the annual meeting. Such members of the Sussex Police and Crime Panel will have a one-year period of office.

15. Constituent Local Authorities will strive to maintain political proportionality of the Sussex Police and Crime Panel as far as is practicable and will review the proportionality of all members of the 15 Local Authorities on an annual basis, taking account of local authority elections across Sussex.

16. An additional appointed Local Authority member can be removed from office through a majority vote of the Sussex Police and Crime Panel present, provided the member of the Panel has been given no less than four weeks' notice of the proposal and has the opportunity to make representations to the Panel.

17. If an additional appointed member ceases to be a member of the Sussex Police and Crime Panel, the Panel will seek a replacement member from the same Local Authority for the remainder of the term.

### **Independent Co-opted members**

18. Two independent co-opted persons will be co-opted for a one year term, which can be renewed by the Sussex Police and Crime Panel annually for up to five years before the position must be re-advertised. They will have full voting rights. They may not be members of the constituent Local Authorities of the Panel. They will be appointed through public advert and interviews conducted by members of the Panel within arrangements agreed by the Panel.

19. An independent co-opted member can be removed from office through a majority vote of the Sussex Police and Crime Panel present, provided the member has been given no less than four weeks' notice of a proposal to remove and provided the member has an opportunity to make representations about the proposal.

20. If an independent co-opted member of the Sussex Police and Crime ceases to be a member through removal, resignation or some other means, the Panel will seek a replacement member through the process as described in paragraph 18 above. The new appointment will be for the remainder of the term.

### **Standards**

21. Members of the Sussex Police and Crime Panel, including independent co-opted members, will be bound by the code of conduct of the Host Authority.

### **Urgent Action**

22. If, in the view of the Host Authority's Proper Officer, a decision within the Sussex Police and Crime Panel's remit is sufficiently urgent that it cannot wait for the next

meeting of the Panel and it is not in the public interest that the matter should be delayed, then the Host Authority's Proper Officer may decide the matter in consultation with Chairman of the Panel. The action taken will be reported to the next meeting of the Panel. This paragraph does not empower the Proper Officer to take any decision on a matter which is reserved by law to the Panel.

23. A register shall be maintained by the Host Authority of every decision taken under paragraph 22 above.

## **RULES OF PROCEDURE**

*[Note:- These Rules of Procedure were approved by the Council at the same time as the Panel Arrangements (above) and were in force when the Police and Crime Panel was first constituted. Subsequently, the Rules of Procedure may change as the Panel has power to make its own Rules of Procedure.]*

### **Chairmanship**

1. A Chairman and a Vice-Chairman will be elected annually, at the annual meeting in June. Nominations will be made at the meeting and voting will take place by a show of hands. A secret ballot can be requested by three members.
2. A Chairman can be removed from office through a majority vote of no confidence called by any member of the Panel.
3. Any vacancy occurring in the Chairmanship or Vice-Chairmanship through removal or resignation can be filled at any meeting of the Panel and will be effective until the next annual meeting of the Panel.
4. In the absence of both Chairman and Vice-Chairman, a Chairman for a single meeting will be appointed by a simple majority of votes.

### **Decision-making**

5. All decisions will be made by a simple majority of votes of members present unless otherwise specified by statute, the Sussex Police and Crime Panel Arrangements or these Rules of Procedure. The Chairman of the meeting will have a second or casting vote in the event of a tied vote. All other Panel members will have one vote. Voting will be by a show of hands.
6. Any member can ask for the way in which they voted to be recorded in the minutes.
7. A recorded vote shall be undertaken if requested by any member.
8. Any member can make a proposition or propose an amendment to a proposed resolution if backed by a seconder. Votes will be taken unless consensus is reached.
9. A meeting or debate can be adjourned at the request of the Chairman, including an adjournment of the meeting if the required quorum is not present.

10. The validity of a decision will not be affected by any vacancy in the Sussex Police and Crime Panel membership, provided that the quorum has been met.

11. The Panel will not usually review any decision it has taken during the six months following such decision.

### **Committee Procedures**

12. The quorum for the meetings of the Sussex Police and Crime Panel is 10 members.

13. At the Annual Meeting, the first item of business will be appointment of Chairman. The second item of business will be appointment of Vice-Chairman. Items will then follow the pattern for ordinary meetings set out below.

14. At ordinary meetings of the Sussex Police and Crime Panel, the first item of business will usually be declaration of interests.

15. The second item of business at ordinary meetings of the Panel will be the approval of minutes, to be signed by the Chairman. No discussion will take place about the minutes other than on their accuracy.

16. An item for urgent matters will appear on each agenda. Urgent matters will be taken at the discretion of the Chairman when it appears that a matter is so urgent that it cannot wait until the next meeting of the Sussex Police and Crime Panel.

17. The Sussex Police and Crime Panel will hold an annual public meeting to scrutinise the Commissioner's annual report. Business will follow that of an ordinary meeting, but with a public question time immediately following the approval of the minutes. The maximum time for the question time shall be 45 minutes unless the Panel agrees to an extension.

18. Written questions from the public can be submitted two weeks in advance of the published date of the annual public meeting or any ordinary meeting of the Sussex Police and Crime Panel, for which the Commissioner or Panel Chairman will be invited to provide a written response by noon on the day before the meeting. The response will be circulated to Panel members and the questioner.

19. A special meeting of the Sussex Police and Crime Panel can be convened at the request of the Chairman or on the request of one third of the members of the Panel, providing that proper notice can then be given. One use of this provision may be a confirmation hearing for a proposed appointment by the Commissioner.

20. Sussex Police and Crime Panel business will be indicated on the agenda, but the order of business can be varied at the Chairman's discretion.

21. The Host Authority will work with the Chairman in advance of meetings to identify items for the agenda and in setting the order of the business, including issues of confidentiality.

22. Any member of the Sussex Police and Crime Panel may give notice of an item to be included on the agenda provided it is relevant to the business of the Panel, is agreed by the Chairman and is no less than eight working days in advance of the meeting.

## **Conduct of Meetings**

23. On each item, the Chairman will invite members to speak in turn.

24. Any member speaking will be silent at the request of the Chairman.

25. Following a warning from the Chairman to a member about disruptive behaviour, the Chairman may ask the Sussex Police and Crime Panel to agree that the member no longer be heard if the behaviour continues.

26. The Chairman may order the removal of disruptive members of the public from a meeting, or clear the public gallery to enable Sussex Police and Crime Panel business to continue.

27. All mobile phones and other communication devices must not disrupt Sussex Police and Crime Panel meetings.

28. No visual or sound recording may be taken without the permission of the Chairman in advance of the meeting.

## **Sub-Committees and Working Groups**

29. The Sussex Police and Crime Panel is empowered to establish Sub-Committees to fulfil any of its functions except those that by law may not be delegated. Sub-Committees may not co-opt members.

30. The Sussex Police and Crime Panel is empowered to establish time-limited informal working groups that can undertake proactive work on the initiative of the Panel or at the request of the Police and Crime Commissioner, with the agreement of the Panel. The working groups will be flexible and informal, but must report back to a formal, public meeting of the Panel. A Working Group may co-opt additional members, who will be able to claim travel expenses within available resources.

31. Any Sub-Committee or Working Group established will have the discretion to appoint its own chairman.

## **Relationship with Police and Crime Commissioner**

32. The Panel will hold the elected Police and Crime Commissioner to account and will seek to work in a constructive manner with the post-holder.

33. The Police and Crime Commissioner will have a standing invitation to attend all meetings of the Panel which may be withdrawn on any occasion at the discretion of the Chairman. The Commissioner's staff may also be invited by the Chairman to attend appropriate meetings of the Sussex Police and Crime Panel, at the discretion of the Commissioner. The Panel may, however, require the Commissioner to attend for specific items.

34. The Police and Crime Commissioner may invite the Sussex Police and Crime Panel to undertake scrutiny of any issue within their remit, but it will be for the Panel to decide whether it will accept any such request.

35. The Sussex Police and Crime Panel may require certain reports from the Police and Crime Commissioner in accordance with statute, but may also request other reports from the Commissioner that it considers necessary in order to effectively undertake its business. The Commissioner usually will be given at least three weeks' notice, but a report may be requested at shorter notice in cases of urgency.

36. In the event of the Sussex Police and Crime Panel receiving a complaint about the conduct of the Police and Crime Commissioner, the issue will be examined by the Proper Officer of the Host Authority to establish that the complaint falls within the remit of the Panel. The Panel will establish a Sub-Committee to consider complaints and to determine whether and through what mechanism any particular complaint should be investigated. Any complaint referred for investigation shall be considered by the same or a differently constituted sub-committee of the Panel using the hearing procedures of the Host Authority's standards regime.

### **Other relationships**

37. The Sussex Police and Crime Panel will seek to avoid duplication of the work of Crime and Disorder Scrutiny Committees in its constituent authorities. The role of the Panel is to scrutinise the Police and Crime Commissioner and not the Responsible Authorities as defined by the Crime and Disorder Act 1998, including Sussex Police and local authorities.

## **GREATER BRIGHTON ECONOMIC BOARD**

### **1. Establishment, Purpose and Form**

- 1.1. The Greater Brighton Economic Board (“The Board”) shall be established from the Commencement Date.
- 1.2. The over-arching purpose of the board is to bring about sustainable economic development and growth across Greater Brighton (‘the City Region’). To achieve this, the principal role of the Board is to co-ordinate economic development activities and investment at the regional level.
- 1.3. The Board comprises the Greater Brighton Economic Joint Committee (“GBEJC”), on which the local authorities will be represented; and the Greater Brighton Business Partnership (“GBBP”), on which the Coast to Capital Local Enterprise Partnership, business, university and further education sectors will be represented.
- 1.4. Meetings of the Board comprise concurrent meetings of GBEJC and GBBP.
- 1.5. GBEJC shall be a joint committee appointed by two or more local authorities represented on the Board, in accordance with section 120(1)(b) of the Local Government Act 1972.
- 1.6. The Board may appoint one or more sub-committees.
- 1.7. For the two years starting with the Commencement Date, the lead authority for the Board shall be Brighton & Hove City Council (“BHCC”), whose functions in that capacity shall include the provision of scrutiny (see paragraph 4.3), management of the call-in and review process (see paragraph 8), and the support detailed in paragraph 12.
- 1.8. Unless the Board resolves otherwise, before the start of the third year following the Commencement Date, and every two years thereafter, the Board shall review the lead authority arrangements and, subject to paragraph 1.9, invite each of the local authorities represented on the Board to submit an expression of interest in fulfilling the role of lead authority for the subsequent two year period. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.
- 1.9. Notwithstanding the appointment of a successor lead authority pursuant to paragraph 1.8, the incumbent lead authority may retain such of their Accountable Body functions as are necessary to enable that local authority to comply with its on-going commitments and liabilities associated with its Accountable Body status.

### **2. Interpretation**

- 2.1. In these Heads of Terms –
  - i. ‘Commencement Date’ means 1<sup>st</sup> April 2014.
  - ii. ‘City Region’ means the area encompassing the administrative boundaries of BHCC, Adur District Council, Worthing Borough Council, Lewes District

Council, Mid Sussex District Council, Crawley Borough Council and Arun District Council; and 'regional' shall be construed accordingly;

- iii. 'economic development' shall bear its natural meaning but with particular emphasis given to :
  - Employment and skills;
  - Infrastructure and transport
  - Housing;
  - Utilisation of property assets;
  - Strategic planning;
  - Economic growth.
- iv. 'Accountable Body' means the local authority represented on the Board carrying out the function set out in paragraph 12.2.

### **3. Functions**

3.1. The Functions of the Board are specified in paragraph 3.2 below and may be exercised only in respect of the Region.

3.2. The functions referred to in paragraph 3.1 are as follows:

- i. To make long term strategic decisions concerning regional economic development and growth;
- ii. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
- iii. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the region;
- iv. To secure funding and investment for the Region;
- v. To ensure delivery of, and provide strategic direction for, major projects and work stream enabled by City Deal funding and devolution of powers;
- vi. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.
- vii. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes; and for the avoidance of doubt, no other expenditure shall be incurred unless due authority has been given by each body represented on the Board.

3.3. In discharging its function specified in paragraph 3.2 (viii) above, the Board shall-

- i. (save in exceptional circumstances) seek to invest funding on the basis of-

- a Proportionality, by reference to the economically active demographic of each administrative area within the city Region;
  - b Deliverability;
  - c Value for money and return on investment / cost benefit ratio; and
  - d Economic impact to the City Region as a whole.
- ii. Delegate implementation of that function to the lead authority, who shall also act as Accountable Body in relation to any matters failing within that function.

#### **4. Reporting and Accountability**

- 4.1. The Board shall submit an annual report to each of the bodies represented on the Board.
- 4.2. The Greater Brighton Officer Programme Board shall report to the Board and may refer matters to it for consideration and determination.
- 4.3. The work of the Board is subject to review by an ad hoc joint local authority scrutiny panel set up and managed by the lead authority.

#### **5. Membership**

5.1. The following bodies shall be members of the Board:

- i. Brighton & Hove City Council
- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. Crawley Borough Council
- vii. Arun District Council
- viii. University of Sussex
- ix. University of Brighton
- x. Further Education Representative
- xi. Coast to Capital Local Enterprise Partnership
- xii. Brighton & Hove Economic Partnership
- xiii. Adur & Worthing Business Partnership
- xiv. Coastal West Sussex Partnership
- xv. South Downs National Park Authority
- xvi. Gatwick Airport Ltd

5.2. GBEJC shall comprise the bodies specified in paragraphs 5.1(i) to (vii); and GBBP shall comprise the bodies specified in paragraphs 5(viii) to (xvi).

5.3. Each of the bodies listed in paragraph 5.1 shall be represented at the Board by one person, save that BHCC shall, by reason of it being a unitary authority, be represented by two persons (as further specified in paragraph 5.4).

5.4. Each local authority member shall be represented at the Board by its elected Leader and, in the case of BHCC, by its elected Leader and the Leader of the Opposition.

- 5.5. Each business sector member shall be represented at the Board by the Chairman of that member or by a person nominated by the Board of that member.
- 5.6. Each university member shall be represented by a Vice Chancellor or Pro Vice-Chancellor of that university or by a person nominated by that university member.
- 5.7. Each further education member shall be represented by its Principal or the Chair of its Governing Body or by a person nominated by that further education member.

## **6. Chair**

- 6.1. The Chair of GBEJC shall, by virtue of their democratic mandate, be Chair of the Board
- 6.2. If the Chair of GBEJC is unable to attend a Board meeting, the Board shall elect a substitute from its local authority member representatives provided that no such member representative attending in the capacity of a substitute shall be appointed as Chair of GBEJC / the Board.
- 6.3. The Chair of GBEJC for its first year of operation shall be the Leader of BHCC
- 6.4. The Chair will be elected annually by members of the GBEJC. Election of the Chair will be conducted through a formal process performed by the Democratic Services Team of the Lead Authority. The elected Chair will be appointed at the first meeting of the Board in the new municipal year. A Chair may be re-elected but shall not serve as Chair for more than 4 years.

## **7. Voting**

- 7.1. Each person represents a member of GBEJC, and each person representing a member of the GBBP, shall be entitled to vote at their respective meetings.
- 7.2. Voting at each of the concurrent meetings of GBEJC and GBBP shall be by show of hands or, at the discretion of the chair, by any other means permitted by law, and voting outcomes reached at those meetings shall be on a simple majority of votes cast.
- 7.3. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the Chair of GBEJC shall have a casting vote.
- 7.4. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the motion/proposal/recommendation under consideration shall fall in relation of GBBP.
- 7.5. Where the respective voting outcomes of GBEJC and GBBC are the same, that shall be taken as the agreed Board decision and the Board may pass a resolution accordingly.
- 7.6. Where the respective voting outcomes of GBEJC and GBBP differ, the Board –
  - i. May not pass a resolution relating to that matter; and

- ii. May refer the matter to the Chief Executive of the lead authority, who may consult with members of the Board or such other persons as are appropriate, with a view to achieving agreement on the matter between GBEJC and GBBP by discussion and negotiation.

7.7. Where, pursuant to paragraph 7.6(ii), agreement is reached the matter at issue shall be remitted to, and voted upon at, the next meeting of the Board.

7.8. Where, pursuant to paragraph 7.6(ii), no agreement is reached the motion/proposal/recommendation at issue shall fall.

## **8. Review of decision**

8.1. Decisions of the Board will be subject to call-in and review in the following circumstances:

- i. Where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was not to agree the recommendation.
- ii. Where a local authority voted against a recommendation at a GBEJC meeting, but the decision of the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iii. Where any local authority represented on the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iv. Where any local authority represented on the Board considered that the Board had made a decision beyond its scope of authority.

8.2. The procedure for requesting, validation, and implementing a call-in and review is specified in Schedule 1.

8.3. Where a request for call-in is accepted, the Board decision to which it relates shall be stayed pending the outcome of the call-in.

8.4. Following call-in, the panel convened to review a Board decision may refer the decision back to the Board for re-consideration. Following referral, the Board shall, either at its next scheduled meeting or at a special meeting called for the purpose, consider the panel's concerns over the original decision.

8.5. Having considered the panel's concerns, the Board may alter its original decision or re-affirm it. Paragraph 8.1 shall not apply to the Board's follow-up decision. In consequence, the latter decision may be implemented without further delay.

## **9. Substitution**

9.1. Subject to paragraph 9.2, representatives are expected to attend all meetings however, where a representative of a member of the Board is unable to attend a Board meeting, a substitute representative of that member may attend, speak and vote, in their place for that meeting.

9.2. A substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Board at the start of each municipal year.

## **10. Quorum**

10.1. No business shall be transacted at any meeting of the Board unless at least one third of all member bodies are present, and both GBEJC and GPBBP are quorate.

10.2 Quorum for GBEJC meetings shall be three member bodies.

10.3. Quorum for GBBP meetings shall be three member bodies.

## **11. Time and Venue of Meetings**

11.1 Ordinary meetings of the Board shall be convened by the lead authority and will rotate around the City Region.

11.2 The Chair of the Board may call a special meeting of the Board at any time, subject to providing members with minimum notice of two working days.

## **12. Administrative, financial and legal support**

12.1 The lead authority shall provide the following support services to the Board:

- i. Administrative, as more particularly specified in the Memorandum of Understanding pursuant to paragraph 13;
- ii. Financial (including the Accountable body function specified in paragraph 12.2); and
- iii. Legal, comprising Monitoring Officer and Proper Officer functions in relation to GBEJC meetings.

12.2 The function of the Accountable Body is to take responsibility for the financial management and administration of external grants and funds provided to the Board, and of financial contributions by each member of the Board, as more particularly specified in the Memorandum of Understanding pursuant to paragraph 13. In fulfilling its role as Accountable Body, the lead authority shall remain independent of the Board.

12.3 Other members of the Board shall contribute to the reasonable costs incurred by the lead authority in connection with the activities described in paragraphs 12.1 and 12.2, at such time and manner as the Memorandum of Understanding shall specify.

## **13 Memorandum of Understanding**

13.1 Members of the Board may enter into a memorandum of understanding setting out administrative and financial arrangements as between themselves relating to the functioning of the Board.

13.2 The memorandum may, in particular, provide for –

13.2.1 Arrangements as to the financial contributions by each member towards the work of the Board, including:

13.2.1.1 The process by which total financial contributions are calculated;

13.2.1.2 The process for determining the contribution to be paid by each member;

13.2.1.3 The dates on which contribution are payable;

13.2.1.4 How the Accountable Body shall administer and account for such contributions;

13.2.1.5 Functions of the Accountable Body; and

13.2.1.6 The terms of reference for the Greater Brighton Officer Programme Board.

## **14 Review and Variation of Heads of Terms**

14.1 The Board shall keep these Heads of Terms under review to ensure that the Board's purpose is given full effect.

14.2 These Heads of Terms may be varied only on a resolution of the Board to that effect, and subject to the approval of each body represented on the Board.

...

### **Schedule 1:**

#### **Greater Brighton Economic Board: Call-in Protocol**

##### **1 Requesting a Call-in**

1.1 Call-in is a process via which decisions made by the Greater Brighton Economic Board (GBEB) but not yet implemented can be challenged by GBEB members and referred to an independent 'call-in panel' for consideration.

1.2 Any decision made by the GBEB may be called-in up to five working days from the date of the meeting at which the decision was taken.

1.3 Call-in may triggered by any one or more of the constituent members of the GBEB. Such a request shall be made in writing to the Chief Executive of the lead Local Authority (i.e. the Local Authority responsible for GBEB administration at the time of the call-in request) and shall include the reasons for the request and any alternative decisions proposed.

1.4 A request for call-in may be made by any GBEB member local authority:

- (i) where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was against the recommendation;

- (ii) where a local authority voted against a recommendation at a meeting of the GBEJC but the decision of the Board was to agree the recommendation;
  - (iii) where any local authority represented in the Board considered that the interests of the body they represent had been significantly prejudiced; or
  - (iv) where any local authority represented in the Board considered that the Board had made a decision beyond its scope of authority.
- 1.5 The Chief Executive may refuse to accept a call-in request which in their opinion is frivolous, vexatious or defamatory or where no reason for the decision to be called-in is given.
- 1.6 Should the request be accepted, the Chief Executive will call-in the decision. This shall have the effect of suspending the decision coming into force and the Chief Executive shall inform the relevant decision-makers of the call-in. The Chief Executive shall then call a meeting of the GBEB call-in panel to scrutinise the decision.
- 1.7 The GBEB call-in panel must meet within seven working days of the Chief Executive accepting the call-in request. Should the call-in committee fail to meet within this period, or meet but not be quorate, then the original decision shall come into force at the expiry of the seven day period.

## **2 The GBEB Call-in Panel**

- 2.1 The GBEB call-in panel shall include members representing each of the constituent members of the GBEB (i.e. both the Greater Brighton Economic Joint Committee and the Greater Brighton Business Partnership).
- 2.2 The GBEB call-in panel could potentially also include co-opted members from other bodies. Any decision on co-option would be made annually by the GBEB.
- 2.3 Each constituent member of the GBEB shall appoint a member to the GBEB call-in panel. No member of the GBEB call-in panel may also be a member or substitute member on the GBEB – GBEB call-in panel members should be independent of the GBEB to the degree that they have not as individuals been involved in the decision that they are being asked to consider as a call-in.
- 2.4 The Chair of the GBEB call-in panel shall be appointed annually by the GBEB.
- 2.5 Appointments to the GBEB call-in panel shall be annual.
- 2.6 Substitution is permitted on to the GBEB call-in panel. However, no substitute member may be or have been a GBEB member or substitute.
- 2.7 The GBEB call-in panel shall make decisions on the basis of a majority vote. If the vote is spilt then the panel Chair shall have a casting vote.

- 2.8 **Quorum.** To be quorate a meeting of the GBEB call-in panel shall require at least one third of members to be in attendance.
- 2.9 For the purposes of call-in no distinction shall be made between representatives from the members of the Greater Brighton Economic Joint Committee and representatives from the members of the Greater Brighton Business Partnership: all members of the call-in panel will vote together.

### 3 Call-in meetings

- 3.1 The GBEB call-in panel will consider call-in requests at a special call-in meeting. Typically, the call-in panel will hear from:
- a. the GBEB member who made the call-in request (where a request has been made by more than one member the Chair of the GBEB call-in panel will decide whether to take representations from all the signatories to the call-in request or to ask the signatories to make a single representation). The member(s) who requested a call-in will explain why they feel the original decision was unsound and will suggest an alternative decision.
  - b. the GBEB. The GBEB Chair (or another GBEB member or an officer supporting the GBEB at the request of the GBEB Chair) will explain why the original decision was made and will provide any additional information they feel is germane. Where the GBEB Chair is a signatory to the call-in request, then another GBEB member (or officer supporting the GBEB) shall attend the call-in meeting to represent the GBEB. This representative will be chosen by the Chief Executive of the lead authority, after discussion with GBEB members.
  - c. Other organisations, stakeholders or members of the public may be granted the right to make representations to the call-in panel at the discretion of the GBEB call-in panel Chair. However, in general the intention should be to re-examine the decision originally made not to hold a broader enquiry into the decision in question.
- 3.2 Call-in does not provide for the call-in panel to substitute its own decision for the original GBEB decision, but merely to refer the matter back to the GBEB. The GBEB can only be asked to reconsider any particular decision once.
- 3.3 In essence the call-in panel is simply tasked with deciding whether the decision in question should be referred back to the GBEB to be reconsidered. Therefore the only substantive decision the GBEB call-in panel can make is whether to refer the decision back to the GBEB or to let the original decision stand.
- 3.4 In deciding whether to refer a decision back to the GBEB, the call-in panel shall have regard to:
- Any additional information which may have become available since the original decision was made
  - The implications of any delay in implementing the original decision
  - Whether reconsideration is likely to lead to a different decision

- The importance of the matter raised and the extent to which it relates to the achievement of the GBEB strategic priorities
- Whether there is evidence that the decision-making rules in the GBEB constitution have been breached
- Whether there is evidence that the GBEB consultation processes have not been followed
- Whether the decision taken is not in accordance with a policy previously agreed by the GBEB
- Whether there might be an alternative way of dealing with the matter in hand short of referral back to the GBEB

3.5 If having scrutinised the decision, the GBEB call-in panel feels that the decision was seriously flawed, it may refer it back to the GBEB for reconsideration, setting out in writing the nature of its concerns.

3.6 Implementation of any decision referred back to the GBEB remains suspended until the GBEB has met to reconsider the matter. However, should the GBEB call-in panel choose not to refer the matter back to the GBEB for reconsideration then implementation may begin immediately following the call-in committee meeting.

3.7 The GBEB shall reconsider any matter referred back to it by the GBEB call-in panel either at its next scheduled meeting or at a special meeting called for the purpose. Having considered the concerns expressed by the GBEB call-in panel the GBEB is free to make any decision it chooses *including re-affirming its original decision*.

#### **4 Call-in and urgency**

4.1 The call-in procedure set out above shall not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interests of the GBEB or the general public across the 'Greater Brighton' region. The record of the decision, and notice by which it is made public, shall state if in the opinion of the GBEB the decision is an urgent one and therefore not subject to call-in. This is subject to the agreement of the Chief Executive of the lead authority.

4.2 Any decision exempted from call-in for reasons of urgency shall be communicated to the Chair of the GBEB call-in panel by the Chief Executive of the lead authority, together with an explanation as to why the decision has been deemed urgent. The intention is that urgency exceptions are used sparingly and only where there is an overriding reason to do so.

## **TERMS OF REFERENCE FOR ELECTED MEMBER WORKING GROUPS**

### **1. ASSET MANAGEMENT BOARD - TERMS OF REFERENCE**

#### **2. Purpose**

The purpose of the Asset Management Board is to advise the Policy & Resources Committee and other relevant Policy Committees on policy, governance and strategies relating to the management of the Council's urban and rural estates.

#### **3. Status**

The Asset Management Board shall be an advisory board to Policy & Resources Committee. The Board will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

#### **4. Areas of focus**

- To have an oversight of the Council's operational and non-operational portfolios;
- To review and monitor the management of the Council's urban and agricultural asset management policies;
- To seek to maximise the use of the Council's commercial assets and understand income and yield in the context of the Council's budget;
- To propose to the Policy & Resources Committee an asset investment strategy for the Council's urban portfolio to reduce its latent risk and consolidate its performance, which will include options of diversification and opportunities for redevelopment and economic growth;
- To continue to promote regeneration in Brighton & Hove;
- To be an advisory board for the Council's commercial property portfolios;
- To advise the Policy & Resources Committee regarding the implications of Brexit in relation to the Council's urban and rural estates;
- To agree an approach to define and measure social value in relation to the Council's rural and urban estates;
- To review the circumstances under which agricultural land can be identified for release, alongside a wider review of the agricultural strategy in the council's Asset Management Plan (AMP) and consider the definitions of agricultural core and non-core property;
- To review the existing thresholds of the Scheme of Delegations that determine when the sale of property and land should be referred to Committee and make recommendations to the Council's Constitutional Working Group.

#### **5. Scope**

The Asset Management Board will need an understanding of the following topics to have an oversight on the Council's operational and non-operational portfolios:

- a. Financial and Legal
  - Financial contribution of commercial investment portfolio;
  - Financial Performance/objectives including investment returns;
  - Capital Investment Strategy, including the Medium Term Financial Strategy;
  - Investment requirements;
  - Scheme of Delegations
- b. The Agricultural Estate
  - Portfolio structure;
  - Policy – Downland Initiative, AMP;
  - Management and performance – portfolio stock condition;
  - Strategic development land.
- c. The Urban Estate
  - Portfolio structure;
  - Policy – AMP;
  - Management and performance;
  - Asset Investment strategy – Rebalancing the urban; portfolio.
- d. Regeneration
  - Develop or Disposal strategy;
  - Existing Development sites;
  - Special Purpose Vehicles.
- e. Community Engagement
  - Stakeholders – tenants;
  - Special Interest Groups, e.g. local conservation bodies; Business representatives.
- f. Legislation and Political Landscape
  - National Legislation.
  - European Legislation.
  - Brexit implications.

## **5. Reporting**

The Asset Management Board will report to the Policy & Resources Committee, or other relevant Committee, with recommendations.

## **6 Membership**

Membership of the Asset Management Board shall consist of 5 elected Members following nominations by their Group Leader.

## **7 Quorum**

A minimum of three panel members, inclusive of the Chair, are required for board meetings to proceed.

## **8 Meetings and Minutes**

- 8.1 The Chair shall be responsible for convening meetings of the Asset Management Board.
- 8.2 The Panel Agenda, with attached meeting papers will be distributed at least five working days prior to the meeting.
- 8.3 Full copies of the minutes, including attachments, shall be provided to all Asset Management Board members following each meeting.

## **9 Review**

- 9.1 These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## **2 BUDGET REVIEW GROUP - TERMS OF REFERENCE**

### **1. Purpose**

The Budget Review Group provides a forum for officers to present cross-party briefings to Lead Financial Members and Group Leaders on key financial matters including:

- The proposed approach to setting the council's budget including budget consultation, engagement and communications;
- Development and reporting of the Council's annual revenue and capital budget strategy (draft and final);
- Local Government Financial Settlements and government spending reviews;
- Revisions to the Council's taxbases (Annual Taxbase reports);
- Changes to Treasury Management policies or strategies;
- Government consultations on changes to Local Government funding;
- Financial performance (Targeted Budget Management and Treasury Management reports);
- Sharing of savings proposals (Integrated Service & Financial Plans) – BRG meetings are traditionally held on a per directorate basis around November each year to which portfolio members of all parties are also invited. \*

The primary reason for having the Member Budget Review Group meetings is that key financial reports (e.g. Draft and Final Budget Reports, Taxbase reports, etc.) are often delayed due to awaiting government announcements and also due to the complexity of the reports and associated corporate processes. This means that reports can rarely be produced in time to meet the standard Committee timetable and will not normally be available for the Policy & Resources Committee pre-meet. The Budget Review Group meetings are therefore in lieu of Policy & Resources Committee pre-meets and are normally set up close to the relevant Policy & Resources Committee meeting. In addition, financial reports are often lengthy and complex and the Budget Review Group provides a forum in which to offer extended briefings.

### **2. Status**

The Budget Review Group shall be an advisory board to the Policy & Resources Committee. The Budget Review Group will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Budget Review Group will be established on a cross party basis.

### **3. Areas of focus**

- Draft Revenue and Capital Budget Reports;
- Final Revenue and Capital Budget Reports;
- Annual Taxbase Reports;
- Local Government Financial Settlements;
- Government Spending Reviews;
- Government financial consultations (where fundamental or significant);
- Financial performance (TBM);
- Treasury Management policy and performance;
- Development of savings proposals.

### **4. Reporting**

The Budget Review Group does not normally report to Committee. However, where there is cross-party support it may agree approaches that can be reflected in the development or reporting of financial processes. For example:

- Agreeing the approach to budget consultation and engagement;
- Agreeing the timing of and/or approach to sharing draft proposals;
- Agreeing the frequency or format of financial performance reporting;
- Agreeing responses to government financial consultations.

## 5. Membership

Membership of the Budget Review Group shall consist of:

- The Chief Finance Officer or their deputy;
- The Lead Financial Member for each recognised political group.
- The Group Leader or their nominee for each recognised political group. \*

The chair of the group has traditionally been an Officer, the Chief Financial Officer or Deputy Financial Officer; however, if this is not acceptable to the group the advice of Monitoring Officer will be taken regarding appointment of a chair.

- \* Although always invited, custom and practice has been for the BRG to be attended by the Finance Leads.

For annual reviews of draft savings proposals (usually November) – additional portfolio holders may be invited to BRG meetings as advised by the Chief Finance Officer.

## 6. Meetings and ways of working

Meetings will normally be held as follows:

- In advance of the July Policy & Resources Committee meeting (Budget Setting Approach);
- In advance of the Nov/Dec Policy & Resources Committee meeting (Directorate focused review of draft savings proposals); \*
- In advance of the Nov/Dec Policy & Resources Committee meeting (Draft Budget);
- In advance of the January Policy & Resources Committee meeting (Taxbase reports);
- In advance of the February Policy & Resources Committee meeting (Final Budget Proposals).

- \* This is an optional use of the Budget Review Group. It has been custom and practice to run one session per directorate to share and invite questions on draft savings proposals ahead of the Nov/Dec Policy & Resources Committee where the draft budget proposals are submitted. However, this is a choice of the Administration who will determine whether or not this practice continues.

The Budget Review Group will agree ways of working appropriate to the role and remit of the Group.

## 7. Review

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

### **3 CONSTITUTION WORKING GROUP - TERMS OF REFERENCE**

#### **1. Purpose**

The Council is required to keep its Constitution under review with a view to achieving efficiency, economy and effectiveness. The cross-party Constitutional Working Group (CWG) assists with this by considering proposals and advising the Council on proposed changes to the Constitution.

#### **2. Status**

The Constitutional Working Group shall be an advisory board to the Policy & Resources Committee. The Board will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Constitutional Working Group will be established on a cross party basis.

#### **3. Areas of focus**

The focus of the Constitutional Working Group is to keep the Constitution under review in order to ensure that the Constitution continues to meet its objectives. These objectives are set out in the Constitution and are to:-

- (a) enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
- (b) support the active involvement of citizens in the process of Local Authority decision-making;
- (c) help Members represent their wards and local residents effectively;
- (d) enable decisions to be taken efficiently and effectively;
- (e) provide a powerful and effective means of holding decision makers to public account;
- (f) ensure that those responsible for decision making are clearly identifiable to local people and that the Council explains the reasons for decisions;
- (g) ensure that no one will review or scrutinise a decision in which they were directly involved; and
- (h) provide a means of supporting the Council to deliver its Corporate Priorities.

#### **4. Reporting**

The Constitutional Working Group will report to Policy & Resources Committee and Full Council with recommendations as necessary.

#### **5. Membership**

Membership of the Constitutional Working Group shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

#### **6. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Constitutional Working Group.

The Constitutional Working Group will agree ways of working appropriate to the role and remit of the Group.

#### **7. Review**

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## **4. CORPORATE PARENTING BOARD - TERMS OF REFERENCE**

### **1. Purpose**

The Corporate Parenting Board reports to the Policy & Resources Committee. It acts as an advisory board to the Council, its partners and its Committees on matters related to the Council's looked after children. Its role is to ensure that the Council and its partner agencies have a joint commitment to:-

- (a) Achieving improved outcomes for children in care and care leavers;
- (b) Developing and overseeing implementation of the Corporate Parenting Strategy to drive improved outcomes;
- (c) Providing challenge to ensure that the Council's duties as Corporate Parent are carried out effectively and consistently.

### **2. Objectives and Terms of Reference**

- 2.1 To assist in the development, operation, monitoring and review of the Council's policies and strategies as they affect children in care and care leavers.
- 2.2 To develop, monitor and review a Corporate Parenting Strategy and work plan.
- 2.3 To promote a co-ordinated and partnership approach to the delivery of Council services as they affect children in care and care leavers and to challenge services where this is not evidenced or effective.
- 2.4 To advise the Council and its Committees on issues relevant to children in care and care leavers and to ensure that policies implemented by the Council which affect these children and young people are effective and appropriate.
- 2.5 To review and monitor outcomes for looked after children and care leavers, including data from the Corporate Parenting Report Card and feedback from the Standards and Complaints and Quality Assurance Framework officers in respect of children in care and care leavers.
- 2.6 To ensure that clear and accessible information is readily available to children in care and care leavers on the corporate parenting they can expect from the Council.
- 2.7 To ensure that systems are in place which mean that the views of children and young people are represented in the development of services that affect them.
- 2.8 To ensure arrangements are made for the training and development of Members (and others as appropriate) on the Council's Corporate Parenting role.
- 2.9 To receive reports on the discharge of the Council's functions regarding the provision of accommodation for looked after children and care leavers, and to make recommendations to the appropriate body of the Council.

### **3. Reporting**

- 3.1 To report to the Council's Policy & Resources Committee and Council on a twice yearly basis.
- 3.2 To make recommendations to the relevant Committee where responsibility for a particular function rests with that Committee.

#### **4. Membership**

- 4.1 Membership of the Corporate Parenting Board will consist of:-
  - 6 elected Members
  - 4 nominated co-optees
- 4.2 Invitations to attend the Corporate Parenting Board may be extended to representatives of interested groups and to additional elected Members and Officers from across Council services
- 4.3 The membership of the Corporate Parenting Board is subject to review by the Policy and Resources Committee
- 4.4 The Chair of the Corporate Parenting Board is an elected Member

#### **5. Review**

The work of the Corporate Parenting Board is subject to bi-annual review by the Policy & Resources Committee.

## **5. JOINT STAFF CONSULTATION FORUM - TERMS OF REFERENCE**

### **1. Purpose**

The Joint Staff Consultative Forum facilitates dialogue between the Council as employer and the Council's employees.

### **2. Status**

The Joint Staff Consultation Forum shall be an advisory board to the Policy & Resources Committee. The Joint Staff Consultation Forum will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **3. Areas of focus**

The role of the Joint Staff Consultation Forum is to provide a mechanism for regular communication and consultation (a) in support of the Council's approach to working in partnership with its recognised trade unions and professional associations and (b) to maintain a healthy employee relations climate.

### **4. Reporting**

Matters raised may become the subject of reports to Committee as appropriate.

### **6. Membership**

Membership of the Joint Staff Consultation Forum shall consist of 6 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council, and employee representatives.

### **7. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Joint Staff Consultation Forum. The Joint Staff Consultation Forum will agree ways of working appropriate to the role and remit of the Forum.

### **8. Review**

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## **6. SUPPORTING MEMBERS WORKING GROUP - TERMS OF REFERENCE**

### **1. Purpose**

#### Member Support

- To oversee the introduction of the use of electronic agendas Council and Committee meetings;
- To oversee the provision of an intranet area for Members
- To co-ordinate the use of i-casework as a case management system for Members' casework.

#### Member Development

- Determining and oversee the provision of a learning and development programme to meet collective and individual needs;
- Promoting a learning culture amongst Members with the use of Personal Development Planning by Leaders and Members;
- Evaluating training and incorporating the outcome of evaluations into planning future training events;
- Maintaining an overview of resource and budgetary implications;
- Overseeing the development of an induction programme for new Members.

#### General

- A forum for discussing all other issues affecting Members as Members of the Council where there is no other arrangement in place. (NB this does not involve decision-making or policy issues, only around support provided to Members).

### **2. Status**

The Member Development Working Group shall be an advisory board to the Policy & Resources Committee. The Member Development Working Group will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Group will be established on a cross party basis.

### **3. Membership**

Membership of the Member Development Working Group shall consist of six elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **4. Reporting**

Matters raised may become the subject of reports to committee as appropriate.

### **5. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business.

### **6. Review**

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## **7. MEMBER ADVISORY GROUP: GRANTS - TERMS OF REFERENCE**

### **1. Purpose**

The Members Advisory Group: Grants will act as a cross-party member body for the purposes of consultation on community and voluntary sector grants in relation to the Third Sector Investment Programme administered by the Executive Director of Housing, Neighbourhoods and Communities.

Specifically, following the approval of such grants, the Executive Director of Housing, Neighbourhoods and Communities must consult with the Members Advisory Group: Grants if proposing to amend any or all of the grants in response to budget changes.

### **2. Status**

The Members Advisory Group: Grants shall be an advisory board to the Executive Director of Housing, Neighbourhoods and Communities. The Members Advisory Group: Grants will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Members Advisory Group: Grants will be established on a cross party basis. The Members Advisory Group: Grants will be established as a permanent member working group by Policy & Resources Committee.

### **3. Areas of focus**

The Members Advisory Group: Grants is focused on grants administered by the Executive Director of Housing, Neighbourhoods and Communities.

### **4. Reporting**

The Members Advisory Group: Grants performs a consultative function for the Executive Director of Housing, Neighbourhoods and Communities rather than reporting directly to a Committee. However, details of grants funding is reported annually to the Members Advisory Group: Grants and published on the Council's website.

### **5. Membership**

Membership of the Members Advisory Group: Grants shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **6. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Members Advisory Group: Grants. The Group will agree ways of working appropriate to the role and remit of the Group.

### **7. Review**

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## **8. PLANNING COMMITTEE WORKING GROUP - TERMS OF REFERENCE**

### **1. Purpose**

The purpose of the Planning Committee Working Group is to monitor the procedures and practices of the Planning Committee to ensure that it works as effectively and as efficiently as possible, and that it makes consistent decisions.

### **2. Status**

The Planning Committee Working Group shall be an advisory board to the Planning Committee. The Planning Committee Working Group will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Planning Committee Working Group will be established on a cross party basis.

### **3. Areas of focus**

The Planning Committee Working Group will focus on improving the functionality of Planning Committee

### **4. Reporting**

The Planning Committee Working Group will report to the Planning Committee with recommendations as necessary.

### **5. Membership**

Membership of the Planning Committee Working Group shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **6. Meetings and ways of working**

The Planning Committee Working Group will meet every three months at Hove Town Hall.

### **7. Review**

These terms of reference may be reviewed and amended by the Planning Committee from time to time.

## **9. PROCUREMENT ADVISORY BOARD - TERMS OF REFERENCE**

### **1. Purpose**

The purpose of the Procurement Advisory Board is to advise the Policy & Resources Committee and other relevant Policy Committees on procurement matters, facilitating lawful and commercially robust decisions by the Committee relating to the Council's procurement of high value services, supplies or works.

### **2. Status**

The Procurement Advisory Board shall be an advisory board to Policy & Resources Committee. The Board will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **3. Areas of focus**

To review and advise on the procurement of Council services, works or supplies where the estimated lifetime value of the contract to be awarded:

- exceeds £1,000,000; or
- where, in the judgment of the relevant Executive Director or the Chief Finance Officer, the procurement should be referred to the Procurement Advisory Board.

To review and advise with due regard to:

- (i) the law, in particular European and UK laws relating to public procurement;
- (ii) the Council's Contract Standing Orders, Financial Regulations, and Standard Financial Procedures;
- (iii) relevant commercial considerations;
- (iv) the Council's corporate procurement strategy;
- (v) the Council's corporate priorities.

### **4. Reporting**

The Procurement Advisory Board will report to the Policy & Resources Committee, or other relevant Committee, with recommendations.

### **5. Membership**

Membership of the Procurement Advisory Board shall consist of five elected members, following nominations by their group leaders. No member may serve on the Board, either as a substantive or a substitute member, unless they have undergone the required training for Board members.

### **6. Review**

These terms of reference may be reviewed and amended by Policy & Resources Committee from time to time.

## **10. STRATEGIC DELIVERY BOARD - TERMS OF REFERENCE**

### **1. Purpose**

The Council has been involved and will continue to be involved in major commercial, regeneration and infrastructure projects across the city; projects that are key to the city's future success and prosperity. These projects fit with the objectives of the council's Corporate Plan and a range of strategies and policies including the City Plan.

The purpose of the Strategic Delivery Board is to enable a more co-ordinated approach to the management and delivery of major projects. It will provide the strategic overview of major projects and provide a mechanism for focussed and systematic member input to ensure maximum efficiency and accountability. It will report to the Policy & Resources Committee and to other Committees as necessary.

### **2. Status**

The Strategic Delivery Board shall be an advisory board to the Policy & Resources Committee and the Tourism, Equalities, Communities and Culture Committee. The Strategic Delivery Board will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **3. Areas of focus**

- Develop and oversee a Regeneration & Investment Plan for the city
- Ensure strategic links between Programmes & Projects
- Oversee links between programmes and policies
- Oversee the pipeline of programme and projects
- Horizon scanning and early identification of emerging issues
- Cooperation and coordination with Greater Brighton & partners
- Consider the cumulative financial impact and financial risks of all the projects
- Act as the constituted body for overseeing Levelling-up Fund bids and funded projects
- Consider the progress of major projects undertaken by the Council and advise the Policy & Resources Committee, other Committees or officers as appropriate
- Review major projects having regard to capacity to deliver, corporate priorities and resources and advise the Policy & Resources Committee or other Committees as appropriate.
- To recommend the establishment of a project-specific Board to oversee a particular major project where this is considered necessary due to capacity, complexity of the issues or other reasons.

### **4. Definition of Major Projects**

For the purposes of the Strategic Delivery Board, major projects will be any with a citywide strategic impact, and cover those delivered by the range of council teams including Regeneration and Transport, or those that are overseen by the Planning team. As such the projects will fall into one of two categories:

- (a) Those that involve the Council either as the deliverer, a direct procurer or a facilitator of the provision of a major capital asset and /or regeneration of a site or area; or

- (b) Those not directly involving the Council as landowner but which are of strategic significance to the city, such as the regeneration of a non-Council owned site or the provision of major infrastructure works.

### **5. Reporting**

The Strategic Delivery Board will report to the Policy & Resources Committee or other relevant Committee with recommendations as necessary.

### **6. Membership**

Membership of the Strategic Delivery Board shall consist of 5 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

No Member may serve on the Board, whether as a substantive or substitute member, unless they have undergone the required training for Board members providing that training may be provided after Members are appointed and before they take their role.

### **7. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Strategic Delivery Board. The Board will agree ways of working appropriate to the role and remit of the Board.

### **8. Review**

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## **11. HOUSING SUPPLY MEMBER BOARD - TERMS OF REFERENCE**

### **1. Purpose**

The Board will drive initiatives undertaken by the council to increase the supply of affordable housing for the city. It aims to operate in a spirit of partnership to improve understanding of housing supply initiatives and to attempt to build consensus on key issues.

### **2. Status**

The Housing Supply Members Board shall be an advisory board to the Housing & New Homes Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

### **3. Areas of focus**

The Board will oversee council initiatives to increase the supply of new homes undertaken by the council including the following programmes, projects and work-streams:

- New Homes for Neighbourhoods
- Homes for Brighton & Hove
- Hidden Homes
- Home Purchase Policy
- Council owned Temporary Accommodation

The Board shall provide the following functions:

- Provide advice and steer on key issues
- Explore development options and issues such as rent levels, viability and tenure mix
- Monitor progress, delivery, budget and retained Right to Buy spend
- Communicate programme background and progress to other members of Housing & New Homes Committee, political groups and leaders
- Review design and specification standards
- Monitor and advise on sustainability standards and moving towards zero carbon housing

### **4. Reporting**

The Board will report to Housing & New Homes Committee with recommendations as necessary.

### **5. Membership**

Membership of the Board shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

## **6. Meetings and ways of working**

The Board will meet every 5 to 8 weeks depending on level of business.

The Board will chaired by the Chair of Housing & New Homes Committee.

A number of principles should underpin the working of the Board:

- Operate in the spirit of partnership and attempt to build consensus
- Council officers and external specialists should attend as required
- Administered by the council with agenda and papers circulated at least 3 days ahead of meetings
- Schedule of future meeting dates to be agreed by Board

The nature of the business discussed by the board may mean that some issues are of a confidential or commercially sensitive nature:

- Members should treat relevant information and that of a commercially sensitive nature as confidential
- Guidance should be given to Board members on briefing political groups and wider stakeholders on an ongoing basis

## **7. Review**

These terms of reference may be reviewed and amended by the Board from time to time.

## **12. KING ALFRED PROJECT BOARD - TERMS OF REFERENCE**

### **1. Purpose**

In October 2019, when ending the last project, the Policy & Resources Committee agreed that it was appropriate to re-establish a Project Board to lead the creation of the new project and to oversee its delivery.

The Board will provide an effective means of ensuring full cross-party engagement and active Member involvement in the process by which the new project is established. It will provide the strategic management, set the objectives, agree the development aspirations, and agree detailed delivery arrangements at key stages of the process.

### **2. Status**

The King Alfred Project Board shall be an advisory board to the Policy & Resources Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

The Board will be established on a cross party basis and it is the goal of the Project Board to attempt to reach decisions by consensus.

### **3. Areas of focus**

The following objectives were agreed for the previous Project Board. These are considered to remain relevant and will be reviewed by the Board at its inaugural meeting:

- To secure the long-term replacement of the outdated sports facilities currently on offer at the King Alfred Leisure Centre.
- To oversee delivery of modern and extended sport and leisure facilities in the west of the city.
- To consider options for the wider regeneration of the King Alfred site which incorporates the sports and leisure facilities on site (or alternative location in the west of the city) within a high quality mixed development which enhances the seafront and surrounding area.
- To achieve a development which is cost neutral to the Council in capital terms, which is sustainable in revenue terms and which provides affordable and accessible public sports and leisure facilities.

In meeting these objectives the Project Board will:

- Provide overall strategic direction to the project so that it achieves its objectives.
- Confirm key tasks, priorities, and timetable for future phases of work.
- Supply relevant Committees with appropriate information to facilitate decision making.
- Receive progress reports and act as required.
- Ensure that in-house resources and consultancy are used as planned.
- Support the Project Manager in gaining access to the requisite resources.
- Ensure that processes are put in place to learn from project experience.

### **4. Reporting**

The Board will report to the Policy & Resources Committee with recommendations as necessary.

## **6. Membership**

Membership of the Board shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

## **7. Meetings and ways of working**

The Project Board shall be chaired by an elected Member [to be nominated and appointed at inaugural Board meeting] who will act as the lead elected Member for the project.

The frequency of meetings will be determined by the level of business and the stage of development but it is anticipated that they will typically be bi-monthly/quarterly.

A number of principles will underpin the working of the Board:

- Operate in the spirit of partnership and attempt to build consensus
- Council officers and external specialists will attend as required
- Administered by the council with agenda and papers circulated at least 3 days ahead of meetings
- Schedule of future meeting dates to be agreed by Board

The nature of the business discussed by the board may mean that some issues are of a confidential or commercially sensitive nature:

- Members should treat relevant information and that of a commercially sensitive nature as confidential
- Guidance should be given to Board members on briefing political groups and wider stakeholders on an ongoing basis

## **8. Review**

These Terms of Reference may be reviewed and amended by the Board from time to time to ensure that they remain relevant throughout the life of the project.

## **13. WATERFRONT PROJECT BOARD - TERMS OF REFERENCE**

### **1. Purpose**

The Project Board shall oversee the development of the Waterfront site/s including a new venue and conference centre to replace the current Brighton Centre. The Board will provide an effective means of ensuring full cross-party engagement and active Member involvement in the process by which the project is progressed. It will provide the strategic leadership and agree detailed delivery arrangements at key stages of the process.

### **2. Status**

The Waterfront Project Board shall be an advisory board to the Policy & Resources Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. The Board will be established on a cross party basis and it is the goal of the Project Board to attempt to reach decisions by consensus.

### **3. Areas of focus**

- To ensure the views, considerations and perspectives of those they represent are communicated to assist in developing the project.
- To share information pertinent to the development of the project.
- To be a positive advocate for the project when appropriate and beneficial to do so.
- To understand the legal, financial and practical barriers to future development of the full Madeira Terrace and work with the officer team and the community to actively promote and support solutions to the restoration of the Terrace.
- To engage with skilled professionals and those offering to provide support for the project and help steer these resources, with the project team, to help with the successful delivery of a replacement for the Brighton Conference Centre
- To act as ambassadors for the project and to ensure a business case is developed which the council is able to support for the longer term project.
- To act as a sounding board for officers developing the project and to oversee terms and conditions of the legal, financial and commercial terms for development of the project.

### **4. Reporting**

The Board will report to Policy & Resources Committee.

Individual Panel members will be responsible for reporting back activities of the Board to their group. On occasion there will be confidential information which will be shared with all group members. Where these pertain to tendering or procurement procedures

Members will need to respect the confidential nature of this information to comply with the council's procurement protocol. Other expert panel members will be invited to join the board from time to time to engage with Members on specific issues or work together to achieve objectives.

## **5. Membership**

Membership of the Board shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

## **6. Working methods / ways of working**

Board members will be asked to adopt a shared learning approach of working collectively to achieve a common objective. Ideally board members will share knowledge and complement each other's skills/areas of expertise.

The Board will meet as the project requires input. This may involve more regular meetings at times of specific activities e.g. procurement of a design team or agreement of revised commercial terms. At other times, these will be more spread out. It will depend upon the needs of the project.

The Council's Regen Team admin service, will perform the role of secretariat.

Agenda topics will be decided in the first instance by officers during the induction phase, and following this, by members of the board.

Agreed standard agenda items will also be agreed during the first meeting.

The Project Manager will report on project progress (time, cost, scope) and any other agreed standing items.

- It is suggested Members suggest items a minimum of 5 working days in advance of agenda circulation.
- The agenda will be circulated one week in advance of any board meeting. Papers will be attached to the Outlook meeting invite prepared by the secretariat one week in advance of the meeting and will include notes/minutes and actions from last meeting and agenda for next meeting.

The meetings could take a variety of formats depending on what is needed by the board and the information being exchanged e.g. presentation, group discussion etc.

The format can also change if and when appropriate e.g. site visit.

Non-members can be invited to the group if required to provide information/advice. This will be agreed with other Panel members in advance.

The secretariat for the group will be the programme support officer at BHCC. The secretariat will prepare the agenda (as instructed by the Panel Chair), write, check and circulate meeting notes/minutes and arrange room bookings if/when necessary.

It is important that members of the board report back and communicate information on the project development and delivery.

Any information or documents which could be deemed publicly sensitive beyond the board will be stated as such to all group members. This information will be for board use only and not shared outside the group, as and when necessary.

## **7. Review**

The board will review the relevance and value of its work and the associated Terms of Reference bi-annually.

## **14. MADEIRA TERRACES PROJECT BOARD - TERMS OF REFERENCE**

### **1. Purpose of the project board**

The Madeira Terrace Project Board shall oversee the restoration of Madeira Terraces initially focusing on 30 arches (MT30). The Board will provide an effective means of ensuring full cross-party engagement and active Member involvement in the process by which the project is progressed. It will provide the strategic leadership and agree detailed delivery arrangements at key stages of the process.

### **2. Status**

The Madeira Terraces project Board shall be an advisory board to the Policy & Resources Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

The Board will be established on a cross party basis and it is the goal of the Project Board to attempt to reach decisions by consensus.

### **3. Areas of focus**

- To ensure the views, considerations and perspectives of those they represent are communicated to assist in developing the restoration project.
- To share information pertinent to the development of the project
- To be a positive advocate for the project when appropriate and beneficial to do so.
- This panel was established following the Policy and Resources meeting of Brighton & Hove City Council on 5<sup>th</sup> December 2019 which agreed to the setting up of a number of project boards to assist the delivery and governance of Major Projects.
- To understand the legal, financial and practical barriers to future development of the full Madeira Terrace and work with the officer team and the community to actively promote and support solutions to the restoration of the Terrace.
- To collaborate with the Advisory Panel for MT30 and engage where appropriate with representatives of the team.
- To engage with skilled professionals and those offering to provide support for the project and help steer these resources, with the project team, to help with the successful delivery of the restoration of Madeira Terrace
- To represent the interests of the council and the respective end users of Madeira Terrace when working alongside the Council's project team to restore Madeira Terrace.
- To act as ambassadors for the project and to ensure a business case is developed which the council is able to support with the support of the community.

## **4. Reporting**

The Board will report to Policy & Resources Committee.

Individual Panel members will be responsible for reporting back activities of the Board to their group. On occasion there will be confidential information which will be shared with all group members. Where these pertain to tendering or procurement procedures Members will need to respect the confidential nature of this information to comply with the council's procurement protocol. Other expert panel members will be invited to join the board from time to time to engage with Members on specific issues or work together to achieve objectives.

## **5. Membership**

Membership of the Board shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

## **6. Meetings and ways of working**

Board members will be asked to adopt a shared learning approach of working collectively to achieve a common objective. Ideally board members will share knowledge and complement each other's skills/areas of expertise.

The Board will meet as the project requires input. This may involve more regular meetings at times of specific activities e.g. procurement of design team. At other times, these will be more spread out. It will depend upon the needs of the project.

The Council's Regen Team admin service, will perform the role of secretariat.

Agenda topics will be decided in the first instance by officers during the induction phase, and following this, by members of the board.

Agreed standard agenda items will also be agreed during the first meeting.

The Project Manager will report on project progress (time, cost, scope) and any other agreed standing items.

- It is suggested Members suggest items a minimum of 5 working days in advance of agenda circulation.
- The agenda will be circulated one week in advance of any board meeting. Papers will be attached to the Outlook meeting invite prepared by the secretariat one week in advance of the meeting and will include notes/minutes and actions from last meeting and agenda for next meeting

The meetings could take a variety of formats depending on what is needed by the board and the information being exchanged e.g. presentation, group discussion etc.

The format can also change if and when appropriate e.g. site visit.

Non-members can be invited to the group if required to provide. information/advice.

This will be agreed with other Panel members in advance.

The secretariat for the group will be the programme support officer at BHCC. The secretariat will prepare the agenda (as instructed by the Panel Chair), write, check and circulate meeting notes/minutes and arrange room bookings if/when necessary.

It is important that members of the board report back and communicate information on the project development and delivery.

Any information or documents which could be deemed publicly sensitive beyond the board will be stated as such to all group members. This information will be for board use only and not shared outside the group, as and when necessary.

## **7. Review**

The board will review the relevance and value of its work and the associated Terms of Reference

## **15. BRIGHTON i360 WORKING GROUP - TERMS OF REFERENCE**

### **1. Purpose**

The Brighton i360 Member Working Group will be a permanent working group with will have oversight of the city council's loan to the Brighton i360. It will consider reports on the performance of the attraction, as well as agreeing the business plan each year that will form the basis of the loan repayment 'cash-sweep.'

The loan to the Brighton i360 is a long-term arrangement, and once the loan is restructured there are not expected to be further opportunities for members to engage through the committee process. For this reason, it is proposed that the this member working group receive regular updates on how the attraction is performing, and therefore at what rate it will pay back the loan. It also gives members an ability to oversee the negotiations between officers and the Brighton i360 Board about the setting of a business plan and net operating income.

### **2. Status**

The Brighton i360 Member Working Group shall be an advisory board to the Policy & Resources Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **3. Areas of focus**

The MWG will focus on:

- Receiving reports from the Brighton i360 as to its performance over the previous six-month period.
- Where necessary, receiving each June the opinion of external consultants who have knowledge of the leisure attractions market about how the Brighton i360 has performed against the market average in the last year.
- Considering the opinion of the same consultant as to what is a reasonable expectation of performance for the coming year.
- Receiving feedback from officers about the negotiations that have gone into setting the business plan for the next year.
- Agree that business plan for the next year, and with it the Net Operating Income.
- If there is a breach of the restructured loan agreement, make recommendations to Policy & Resources Committee about how to remedy the situation.

### **4. Reporting**

The Board will report to Policy & Resources Committee, with recommendations as necessary.

### **6. Membership**

Membership of the Board shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **7. Meetings and ways of working**

The Group will meet every six months, ahead of the 31<sup>st</sup> December and 30<sup>th</sup> June dates that loan repayments become payable from the Brighton i360. The December meeting will just be an update on performance, while the June meeting will agree the Business Plan for the next year.

The Group will agree ways of working appropriate to the role and remit of the Group.

## **8. Review**

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## **16. SCHOOL ORGANISATION WORKING GROUP - TERMS OF REFERENCE**

### **1. Purpose**

The purposes of the School Organisation Working Group will be:

- To keep under review pupil number projections for Brighton & Hove;
- To consider actions required to ensure that the Council fulfils its duty to secure sufficient school places for children and young people and advise the Children and Young People & Skills Committee (CYPS) accordingly;
- To advise the CYPS regarding the schools capital programme;
- To comment on an annual five year School Organisation Plan for endorsement by the CYPS and approval by Full Council, as required.

### **2. Status**

The School Organisation Working Group shall be an advisory board to the Children and Young People & Skills Committee. The Working Group will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Working Group will be established on a cross party basis.

### **3. Operating principles**

It is intended that the Working Group operate in partnership and its goal is to attempt to reach decisions by consensus. The Working Group may call upon specialist advice from legal, financial, property and other officers of the Council, and external consultants, as it sees fit.

The Working Group will meet every six to eight weeks, with a schedule of meetings for the year agreed at the start of each school year. At the end of the year the Children & Young People & Skills Committee will determine if a further schedule of meetings is required.

Administration for the Working Group will be provided by Education and Skills service. The agenda and accompanying papers will normally be circulated one week in advance of meetings, but additional material may be sent later or tabled where necessary.

Papers and minutes of each meeting will be issued within seven days of the meeting and will be confidential; Members will decide at the end of the meeting those items which may be discussed more widely.

### **4. Membership and Chairing Arrangements**

Membership of the Working Group will consist of 6 elected members, nominated by group leaders.

The Working Group will be advised by the Assistant Director, Families, Children & Learning (Education and Skills), the Head of School Organisation, the Head of Education Capital (Property and Design) and other Officers of the Council as may from time to time be required.

## **5. Review**

These terms of reference may be reviewed and amended by the Children & Young People & Skills Committee from time to time.

## **17. CROSS PARTY YOUTH GROUP - TERMS OF REFERENCE**

### **1. Purpose**

The purpose of the Cross Party Youth Group will be to gather the views of young people to feed into Members and the Director/Assistant Director of Families, Children and Learning to inform decisions.

### **2. Status**

The Cross Party Youth Group shall be an advisory board to the Children and Young People & Skills Committee and to the Health and Wellbeing Board. The Group will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Group will be established on a cross party basis.

### **3. Governance and decision making**

The Children, Young People & Skills Committee is the Council Committee which is responsible for education, children's health and social care services, public health for children and young people, including services to young people up to the age of 19 or in some cases the age of 25.

Full Council is the highest decision making body for the Council and agrees the budget for the Council once a year.

Views and recommendations from the Youth Cross Party Working Group will be taken into account and will be represented at the Children, Young People & Skills Committee by the Members and Youth Council representative.

### **4. Membership and Chairing Arrangements**

Membership of the Cross Party Youth Group will include one Member from each of the three political groups in the council, together with either the Executive Director or Assistant Director of Families Children & Learning. The Members of the Group shall be drawn from the Members appointed to the Children, Young People Skills Committee unless that Committee elects otherwise.

The Cross Party Youth Group will develop representation from young people from different areas, groups and youth services in the city. To start with this will include representatives from the Youth Council, Children in Care Council and the commissioned neighbourhood youth projects. The Group will consider how to ensure the views of a wider range of young people can be gathered including whether representatives from other youth organisations should join the group

The meetings of the Cross Party Youth Group will be co-chaired by the chair of the Children, Young People & Skills Committee and by the Youth Council representatives on the Committee.

### **5. Operating Principles**

It is intended that the Cross Party Youth Group operate in partnership and its goal is to reach recommendations by agreement.

This Cross Party Youth Group will be the main way that young people can influence the Children, Young People & Skills Committee of the Council.

The Cross Party Youth Group may ask for advice from legal, financial, property and other Officers of the Council, or external advice.

Any discussions and papers from this group will be open and transparent and can be shared.

## **6. Frequency of Meetings**

The Cross Party Youth Group meetings are to be held every 3 months for 1.5 hours and will generally start at 5.30pm or as agreed. The frequency of the steering group is to be reviewed and increased or decreased, as required.

## **7. Administration**

Administration for the Cross Party Youth Group will be provided by the Early Years, Youth and Family Support service. The agenda and accompanying papers will normally be circulated one week in advance of meetings, but additional material may be sent later or tabled where necessary. The minutes of each meeting will be issued within ten days of the meeting.

Members will decide at the end of the meeting how the discussion of the group will be shared more widely.

## **8. Review**

These terms of reference may be reviewed and amended by the Children & Young People & Skills Committee from time to time.

## **18. PERFORMANCE AND INFORMATION GROUP - TERMS OF REFERENCE**

### **1. Purpose**

The Performance and Information Group is a non-decision making group that is open to all members (Council, CCG and co-opted) of the Health and Wellbeing Board and Health Overview and Scrutiny Committee.

It was set up to provide a space for the significant amount of performance and information that does not get aired due to time constraints in the Health and Wellbeing Board but may be of interest or help provide more detailed background to both the Health and Wellbeing Board and Health Overview and Scrutiny Committee.

Having information shared at the Performance and Information Group does not preclude that information being presented at a later date at either the Board or Committee at a later date.

All members of the Health and Wellbeing Board and Health Overview and Scrutiny Committee including external members such as CCG, co-opted.

### **2. Status**

The Performance and Information Group is not an advisory body. It does not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

### **3. Areas of focus**

The Performance and Information Group covers in detail performance information that the Health and Wellbeing Board and Health Overview and Scrutiny Committee do not have time to cover in general meetings.

The topics for the meeting can be generated through:

- Data being available;
- The Health and Wellbeing Board or Health Overview and Scrutiny Committee Chairs or Members' request;
- Officers who wish to present information to the Group.

### **4. Reporting**

The Performance and Information Group does not report to either Health Overview and Scrutiny Committee or Health and Wellbeing Board. At the end of the meeting the Chairs of Health and Wellbeing Board and Health Overview and Scrutiny Committee will discuss if there are any items from the meeting that need to go to either Board or Committee for public transparency.

### **5. Membership**

Membership of the Performance and Information Group shall consist of three Members, to be nominated by Group Leaders. All members of the Health and Wellbeing Board and Health Overview and Scrutiny Committee including external members such as CCG and other co-optees are invited to attend the Performance Information Group.

## **6. Meetings and ways of working**

Meetings are held four times a year with the dates set around when performance data is accessible (this is normally quarterly). The meetings are chaired by the Head of Adult Social Care Performance & Business Improvement (this was agreed at the first meeting by Members).

## **7. Review**

These terms of reference may be reviewed and amended by Policy & Resources Committee from time to time.

## **19. COMMUNITY SAFETY PARTNERSHIP BOARD - TERMS OF REFERENCE**

### **1. Purpose**

The Community Safety Partnership Board is responsible for ensuring the statutory and other duties of the Community Safety Partnership Board are delivered effectively and efficiently by its Responsible Authorities and partners.

The overarching duty is to reduce crime and disorder, improve community safety and reduce re-offending in Brighton & Hove. This duty is set out in the Crime and Disorder Act 1998 and in subsequent guidance and legislation. The Community Safety, Crime Reduction and Drugs Strategy is the city-wide strategic plan which sets out how that duty is delivered. The Community Safety Partnership Board will comply with the requirements of Brighton & Hove Connected and City Management Board as set out in the approved Protocols.

### **2. Status**

The Community Safety Partnership Board shall be an advisory board to the Tourism, Equalities, Communities and Culture Committee. The Board will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **3. Areas of focus**

- Approve an annual strategic assessment of crime and disorder in Brighton & Hove;
- Ensure effective consultation with elected Members, local communities, communities of interest, residents and businesses on crime, disorder and safety concerns;
- Oversee effective support for the wide network of community-led forums and action teams which work within the Community Safety and Safe in the City Partnership, responding to their concerns and priorities;
- Approve the crime and safety priorities and delivery plans for inclusion within the three yearly Community Safety, Crime Reduction and Drugs Strategy, based on findings and recommendations from strategic assessments and consultation;
- Approve annual, pooled Partnership budgets to enable the crime, disorder and community safety priorities and action plans and those of substance misuse services to be commissioned and delivered in the most cost effective way;
- Approve performance indicators and targets and respond to quarterly and year end performance reports directing corrective action and interventions when necessary;
- Ensure compliance with section 17 of the Crime and Disorder Act 1998;

- Lead compliance with section 115 of the Crime and Disorder Act 1998 to ensure information is shared for the purpose of reducing crime and disorder;
- Oversee and receive progress reports from the Management Board of the Youth Offending Service and for youth crime prevention services;
- Oversee and receive progress reports from the Alcohol Programme Board;
- Oversee and receive progress reports for the Young People's Substance Misuse Service;
- Oversee and receive progress reports from the Joint Commissioning Group, the Harm Reduction Steering Group, other adult drugs services and multi-agency working groups;
- Support and jointly respond to the priorities and actions of the Local Children Safeguarding Board, the Adult Safeguarding Board and the Health and Wellbeing Board;
- Receive and respond to relevant reports from partnership steering groups, council committees, city partnerships, and other relevant sources where appropriate;
- Respond to central government policy, calls for action and consultation where appropriate and required;
- Comply with and respond to all relevant inspections and audit processes.

#### **4. Reporting**

The Community Safety Partnership Board will report to the Tourism, Equalities, Communities and Culture Committee with recommendations as necessary.

#### **5. Membership**

Membership of the Board shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council. Nominees will be selected from the membership of the relevant parent Committee(s).

#### **6. Meetings and ways of working**

- Quarterly meetings to be chaired by the Chief Executive of the Council. Named representative to be the Divisional Police Commander (Chief Superintendent) or Strategic Director of the city council who has the lead for Community Safety;
- Administration of the Safe in the City Partnership Board to be carried out by the Partnership Community Safety Team;
- Reports to be submitted to the Partnership Community Safety Team ten days before the date of the meeting and to be circulated to members 7 days before the meeting.

## **7. Review**

These terms of reference may be reviewed and amended by the Tourism, Equalities, Communities and Culture Committee from time to time.

## **20. CROSS PARTY KPI DEVELOPMENT GROUP - TERMS OF REFERENCE**

### **1. Purpose**

The purpose of the Cross-Party KPI Development Group is to ensure full buy-in of Members of the Corporate KPI set to ensure common understanding ahead of Policy & Resources Committee where the targets are agreed. The Corporate KPI set is central to the council's statutory Best Value duty to Continuous Improvement, managed through our Performance Management Framework.

The Cross-Party KPI Group reviews the indicators and associated targets for the full set of corporate and directorate level KPIs. KPI target setting guidance and the timetable for the process is also agreed at this Group. The level of detailed discussion would be inappropriate for Policy & Resources Committee.

### **2. Status**

The Cross-Party KPI Development Group shall be an advisory body to the Policy & Resources Committee

### **3. Areas of focus**

- Corporate KPI target setting guidance and timetable;
- Corporate KPI set and associated targets;
- Directorate KPI set;
- Performance of comparators.

### **4. Reporting**

The Cross-Party KPI Development Group will be an advisory body to the Policy & Resources Committee

### **5. Membership**

Membership of the Cross-Party KPI Development Group shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council. Officers for the Council will include the Chief Executive, Executive Director of Governance, People & Resources, Head of Performance Improvement & Programmes and Corporate Performance Lead.

### **6. Meetings and ways of working**

As a minimum, the Cross-Party KPI Development Group needs to meet:

- in March to have an initial discussion regarding the KPI set and target setting guidance;
- in June to review the indicators and targets proposed by the officers to ensure the set enables us to evidence how well we have achieved the Corporate Strategy.

### **7. Review**

These terms of reference may be reviewed and amended as needed.

## **21. BREXIT WORKING GROUP - TERMS OF REFERENCE**

### **1. Purpose**

The Brexit Working Group will maintain Member oversight of the Council's actions to mitigate the strategic risks to the Council and Brighton & Hove caused by the UK's withdrawal from the EU; and will coordinate relations with city stakeholders and communities where potential impact has been identified.

### **2. Status**

The Brexit Working Group will be an advisory board to the Policy & Resources Committee. The Group will not have Sub-Committee status. However, it is expected that the Group will be established on a cross party basis.

### **3. Areas of focus**

The Brexit Working Group will focus on maintaining oversight of actions taken in relation to mitigating potential impacts of Brexit on Brighton & Hove and the Council as outlined in the Council's Strategic Risk Register. These potential impacts include, but due to the developing nature of the subject, are not limited to:

- Fragmented communities leading to civil unrest;
- Increased demand for advice services for EU residents, citizens and businesses;
- Reduced city wealth;
- Reduction in skills levels in Brighton & Hove;
- Stalling of city projects due to supply chains;
- Less ability to manage local environmental impacts e.g. waste disposal
- Less certainty around export/import regulations;
- Impact on food safety regulations and standards including. Export Health Certificates;
- Security risks – border controls and changed emergency planning and resilience requirement may be required.

### **4. Reporting**

The Brexit Working Group will report to the Policy & Resources Committee with recommendations as necessary.

### **5. Membership**

Membership of the Brexit Working Group shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **6. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Brexit Working Group. The Group will agree ways of working appropriate to the role and remit of the Group.

### **7. Review**

This is an ad hoc group established for a limited time. The work of the group is expected to finish by November 2019 but will be dictated by national policy decisions in relation to the UK's exit date from the EU, which is currently set to

be no later than 31<sup>st</sup> October, 2019. Once there is confirmation of exit date and deal or no-deal scenario the Brexit Working Group will report back to the Policy & Resources Committee.

## **22. TERMS OF REFERENCE FOR COMMUNITY WEALTH BUILDING (CWB) PROGRAMME CROSS-PARTY MEMBER WORKING GROUP**

### **1. Name**

Community Wealth Building Cross-Party Member Working Group (MWG).

### **2. Purpose**

A Community Wealth Building Programme will be established to help achieve a key policy objective of Brighton & Hove City Council in becoming the leading UK city for community wealth. The Cross-Party MWG will steer the development of this programme and will oversee its implementation.

### **3. Status**

The Community Wealth Building MWG shall be an advisory board to the Policy & Resources Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

However, it is expected that the Board will be established on a cross-party basis.

### **4. Areas of focus**

The focus of the Cross-Party MWG is to have oversight of the development and delivery of the Community Wealth Building Programme to help ensure the Corporate Strategy objective to become the UK's leading city for community wealth is met.

### **5. Reporting**

The Group will report to Policy & Resources Committee, with recommendations as necessary.

### **6. Membership**

Membership of the Group shall consist of 5 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council. The Group will be chaired by a member from the Council's largest political group. Political groups may change their nominees if they choose. Political groups may also choose to send substitute members to meetings of the MWG.

### **7. Making Decisions**

The Group will seek to take decisions by consensus, but may take a vote where a consensus position cannot be agreed. In the event that such a vote is tied, the Chair will have a casting vote.

## **8. Meetings and Ways of Working**

The timing and number of meetings will be dictated by the volume of business for the MWG.

The Group will agree ways of working appropriate to the role and remit of the Group.

## **9. Review**

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## **23. TERMS OF REFERENCE FOR VALLEY GARDENS MEMBER WORKING GROUP**

### **1. Name**

Valley Gardens Member Working Group

### **2. Purpose**

This MWG will offer the opportunity for engagement in, and oversight of the ongoing development and delivery of the Valley Gardens project (Phase 3). Members can request attendance of key stakeholders to the MWG meetings in accordance with planned stakeholder engagement plan(s) or on an ad hoc basis. Phases 1 & 2 have completed which is now subject to a period of monitoring and operational maintenance contracts. The purpose of the MWG is to ensure Members have practical oversight between committees, while enabling interested stakeholders to have a tangible input into the discussions, and the associated recommendations on key tasks and issues associated with delivery of the project. The group itself will not make decisions; these will always be made at Environment, Transport & Sustainability Committee.

### **3. Status**

This MWG will function as a permanent advisory group for the lifecycle of the project reporting to the Environment, Transport & Sustainability Committee. The group will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

### **4. Areas of focus**

This MWG will have focus on key areas including:

- Remaining scheme design/delivery matters for Phase 3
- Stakeholder engagement oversight
- To include construction planning such as temporary traffic management plans and events contingency planning etc.

### **5. Reporting**

The group will report to the Environment, Transport & Sustainability Committee, with recommendations as necessary.

### **6. Membership**

Membership of the MWG shall consist of three elected Members, one from each political party, following nominations by their Group Leaders, supported primarily by officers from the City Transport Division and Economy, Environment and Culture Directorate. The Members of the MWG shall be current appointees to the Environment, Transport & Sustainability Committee unless that Committee decides otherwise.

Substitutes for the above members of the MWG may attend as and when required. This MWG will have the ability to co-opt stakeholders onto the group and/or invite stakeholders to engage in specific thematic meetings, as requested and agreed by Members in order to ensure that there is an appropriate level of representation of views, experience and knowledge to help inform the stakeholder input.

## **7. Meetings and ways of working**

Meetings of this MWG are scheduled to take place monthly or as required to support the scheme development and stakeholder engagement process, and to also inform the development of recommendations to be included in reports to the Environment, Transport & Sustainability Committee.

The timing and number of MWG meetings will be dictated by the volume of business for the MWG. The MWG membership will arrange thematic meetings in order to ensure that it addresses all relevant issues in a focused and manageable way. Each MWG meeting will determine which business will be on the next agenda, the date of that meeting, and any external attendance and suitable venue, as required. Agendas and meeting notes will also be prepared and circulated at least one week in advance of the MWG meetings. Minutes of each MWG will be drafted and circulated to the MWG membership to obtain sign off.

## **8. Review**

This is an MWG established for the lifecycle of the project or until the MWG membership decide to terminate its meeting. This MWG will be reviewed with stakeholders, if required, at regular intervals and annually in order to maintain its purpose and effectiveness.

## **24. TERMS OF REFERENCE FOR LOCAL CYCLING AND WALKING INFRASTRUCTURE PLAN MEMBER WORKING GROUP**

### **1. Name**

**Local Cycling and Walking Infrastructure Plan [LCWIP] Member Working Group**

### **2. Purpose**

The group will offer members and key stakeholders earlier and stronger engagement in, and oversight of, the development of the Local Cycling and Walking Infrastructure Plan during the specified stages in the development of the document, as outlined in Section 4 of this document and the draft Local Cycling and Walking Infrastructure Plan Scoping Report.

The group will inform and consider the development of the Local Cycling and Walking Infrastructure Plan, including stakeholder and community feedback resulting from specific tasks and activities during the Local Cycling and Walking Infrastructure Plan's development. The group itself will not make decisions; these will always be made at the Environment, Transport & Sustainability Committee.

### **3. Status**

This group shall be an advisory board to the Environment, Transport & Sustainability Committee. The group will not have sub-committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the group will be established on a cross-party basis.

### **4. Areas of focus**

This group will assist with and/or inform key, specified stages recommended by the Government in the development of the Local Cycling and Walking Infrastructure Plan, as follows:-

- Finalising the approach (methodology) to preparing the Local Cycling and Walking Infrastructure Plan, as set out in the draft Scoping Report agreed by the Environment, Transport & Sustainability Committee in June 2019 (Stage 1- Determining Scope), taking note of the Government's Department for Transport's Local Cycling and Walking Infrastructure Plan Technical Guidance for Local Authorities
- Finalising the stakeholder and community engagement programme (Stage 1- Determining Scope) and subsequent delivery of this
- Considering perceptions of existing provision, feedback on existing facilities and suggestions for improvements (Stage 2 – Gathering Information)
- Network Planning for Cycling and Walking (Stages 3 and 4)
- Agreement of prioritisation criteria (Stage 5 – Prioritising Improvements)
- Embedding the Local Cycling and Walking Infrastructure Plan across other areas of council delivery (Stage 6 – Integration and Application).

The areas of focus will be kept under review for the duration of the group; new issues may be added as they arise. The group will be involved in the subsequent completion of the draft Local Cycling and Walking Infrastructure Plan document, before it is reported back to the Environment, Transport & Sustainability Committee.

#### **4. Reporting**

The group will report to the Environment, Transport & Sustainability Committee, with recommendations as necessary.

#### **6. Membership**

Membership of the Working Group shall consist of three elected Members from the Environment, Transport & Sustainability Committee, one from each political party, following nominations by their Group Leaders.

The Members will be supported primarily by officers from the City Transport Division. Substitutes for Members of the group may attend as and when required.

This group will have the ability to co-opt stakeholders onto the group and/or invite stakeholders to engage in specific thematic meetings, as appropriate. Stakeholder involvement and input into the group's meetings will be requested and agreed by Members in order to ensure that there is an appropriate level of representation of views, experience and knowledge to help inform the group's consideration of agendas at individual meetings. It is expected that stakeholder input could include representatives of walking and cycling groups, disability and equality groups, community engagement, 'harder to reach' groups including young people, and public health providers.

#### **7. Meetings and ways of working**

Meetings of the group will be scheduled to take place to enable consideration of key stages of the Local Cycling and Walking Infrastructure Plan's development and allow the group's recommendations to be reported to the Environment, Transport & Sustainability Committee.

The timing and number of meetings may be determined by the volume of business for the group. The group will arrange thematic meetings in order to ensure that it addresses all relevant issues in a focused and manageable way. Additional meetings of the group may be arranged as required.

In order to be an effective body and play a significant role in the development of the Local Cycling and Walking Infrastructure Plan prior to its consideration by the Environment, Transport & Sustainability Committee, the focus or agenda of the group's meetings will be planned and agreed in advance, especially to ensure that stakeholder involvement and a suitable venue can be arranged and secured.

Agendas and meeting notes will also be prepared and circulated at least one week in advance of the meetings.

## **8. Review**

This is an MWG established for the lifecycle of the project or until the MWG membership decide to terminate its meeting. This MWG will be reviewed with stakeholders, if required, at regular intervals and annually in order to maintain its purpose and effectiveness.

## **25. TERMS OF REFERENCE FOR STANMER PARK RESTORATION PROJECT MEMBER WORKING GROUP**

### **1. Name**

Stanmer Park Restoration Project Member Working Group (MWG)

### **2. Purpose**

This MWG will offer the opportunity for engagement in, and oversight of the ongoing development and delivery of the Stanmer Park Restoration project. Members can request attendance of key stakeholders to the MWG meetings in accordance with any planned stakeholder engagement plan(s) or on an ad hoc basis. The initial capital works funded through the project have been completed which is now subject to a period of monitoring and defect period. The associated Activity Plan continues as currently scheduled until March 2022, however this may be extended to make up for opportunities lost during the pandemic shutdowns. The purpose of the MWG is to ensure Members have practical oversight between committees, while enabling interested stakeholders to have a tangible input into the discussions, and the associated recommendations on key tasks and issues associated with delivery of the project. The group itself will not make decisions; these will always be made at Environment, Transport & Sustainability Committee.

### **3. Status**

This MWG will function as a permanent advisory group for the lifecycle of the project reporting to the Environment, Transport & Sustainability Committee. The group will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

### **4. Areas of focus**

This Task and MWG will have focus on key areas including:

- Remaining activity plan delivery.
- Stakeholder engagement oversight
- Development of the long-term management arrangements for Stanmer Estate as required by the National Lottery funding agreement
- The development of the Traditional Agricultural Buildings (TAB) in Stanmer Village
- The development of the Cityparks depot within Stanmer Park.
- To include construction planning such as temporary traffic management plans and events contingency planning etc.

### **5. Reporting**

The group will report to the Environment, Transport & Sustainability Committee, with recommendations as necessary.

### **6. Membership**

Membership of the MWG shall consist of three elected Members - one from each political party, following nominations by their Group Leaders – and one Board Member from the South Downs National Park Authority or appropriate

officer nominated by their board. Where the Environment, Transport & Sustainability Committee so determines, the Members appointed to the MWG may only be drawn from the Members appointed to that Committee. The group will be supported primarily by officers from Cityparks and Property Services from the Economy, Environment and Culture Directorate. Substitutes for the above members of the MWG may attend as and when required. This MWG will have the ability to co-opt stakeholders onto the group and/or invite stakeholders to engage in specific thematic meetings, as requested and agreed by Members in order to ensure that there is an appropriate level of representation of views, experience and knowledge to help inform the stakeholder input.

### **7. Meetings and ways of working**

Meetings of this MWG are scheduled to take place quarterly or as required to support the scheme development and stakeholder engagement process, and to also inform the development of recommendations to be included in reports to the Environment, Transport & Sustainability Committee.

The timing and number of MWG meetings will be dictated by the volume of business for the MWG. The MWG membership will arrange thematic meetings in order to ensure that it addresses all relevant issues in a focused and manageable way. Each MWG meeting will determine which business will be on the next agenda, the date of that meeting, and any external attendance and suitable venue/platform, as required.

Agendas and meeting notes will also be prepared and circulated at least one week in advance of the MWG meetings. Minutes of each MWG will be drafted and circulated to the MWG membership to obtain sign off.

### **8. Review**

This is an MWG established for the lifecycle of the project or until the MWG membership decide to terminate its meeting. This MWG will be reviewed with stakeholders, if required, at regular intervals and annually in order to maintain its purpose and effectiveness.

## **26. TERMS OF REFERENCE FOR THE HOMELESSNESS REDUCTION BOARD**

### **1. Name**

1.1 Homelessness Reduction Board (HRB).

### **2. Purpose**

2.1 The purpose of the HRB is to promote homelessness reduction and prevention through the development of improved and integrated homelessness services as set out in the Homelessness and Rough Sleeping Strategy.

2.2 Brighton & Hove City Council's Housing Committee has the overall responsibility for the Homelessness and Rough Sleeping Strategy. The role of the HRB is to ensure that structures are in place to deliver on strategic priorities contained in the strategy.

2.3 The HRB will also monitor relevant actions agreed in the Council's Corporate Plan and the Housing Committee Work Plan.

2.4 Each strategic priority will be included in an action plan. This will consist of the work of the council and its commissioned services. Housing and Health & Adult Social Care will work in partnership with Health, Children's Services, the Probation Service, Sussex Police, and our voluntary and third sector partners to develop collective commitments to tackle homelessness and rough sleeping. Once these commitments are made, they will be included in the action plan and monitored.

### **3. Status**

3.1 The HRB shall be an advisory board to Housing Committee and the Health & Wellbeing Board. The HRB will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

3.2 However, it is expected that the Board will be established on a cross party basis.

### **4. Areas of focus**

1. To promote integration and joint working in Homelessness & Rough Sleeping services across the City in order to improve the homelessness outcomes of the people of Brighton and Hove;

2. To develop the Joint Strategic Needs Assessment (JSNA), relating to homelessness & rough sleeping, for the City;

3. To cooperate in the development of other strategies for the City. To ensure that homelessness is accurately reflected in these strategies and integrated across the City;

4. To receive the Clinical Commissioning Group's draft annual commissioning plan and to respond with its opinion as to whether the draft commissioning plan takes account of the Homelessness Reduction Strategy.

5. To establish and maintain a dialogue with the Council's Local Strategic Partnership Board, including consulting on its proposed strategies and reporting on outcomes in line with the City's Performance and Risk Management Framework;

6. In line with government guidance to promote transparency and accountability the HRB will involve stakeholders

7. To review annual progress against city priorities and the approved annual action plan

8. To consider reports, where appropriate, from relevant programme boards and related multi-sector committees with a remit for public health in order to inform the Homelessness Reduction Strategy including: Alcohol Programme Board, the Substance Misuse Programme Board and the Sexual Health Programme Board.

9. Leadership and Agenda Setting and Accountability • Promote creative and innovative approach to homelessness reduction. • Promote the agenda on integration - both in terms of sharing commissioning resource but also in terms of delivering a joined up service for homeless people. • Provide collective leadership to a whole range of City-wide collaborative working and whole system issues - including emergency planning, resilience and preparedness, urgent care etc.

### **5. Reporting**

5.1 The HRB will report to Housing Committee & Health & Wellbeing Board (as appropriate) with recommendations as necessary.

### **6. Membership**

6.1 Membership of the Board shall consist of three voting elected Members appointed on a cross party basis (currently 1:1:1).

6.2 It will also have a panel of non-voting members formed of the Chair of Health and Wellbeing Board and representatives of other public bodies and organisations working to alleviate and address issues associated with homelessness and rough sleeping.

### **Voting members:**

Chair of Housing Committee  
Opposition Spokesperson Housing Committee  
Group Spokesperson Housing Committee

### **Non voting members:**

1 Chair of Health & Wellbeing Board  
2 Clinical Commissioning Group  
3 Probation Service  
4 Prison Service  
5 Brighton & Sussex University Hospital Trust  
6. Sussex Partnership Foundation Trust  
7. Sussex Police  
8. Two members of the Homelessness & Rough Sleeping Strategy Operational Board.

### **Officers in attendance:**

Executive Director of Neighbourhoods, Communities & Housing  
Executive Director of Families, Children and Learning  
Executive Director of Health and Adult Social Care.

### **Quorum**

At each meeting, the quorum requirement is at least two voting members.

### **Chair**

The Board will be chaired by the Chair of the Housing Committee.

The appointments may be made, in accordance the wishes of the political groups, at the meeting of Policy & Resources Committee when the terms of reference are agreed or notified to the Chief Executive by the Group following the meeting.

## **7. Meetings and ways of working**

7.1 The timing and number of meetings will be dictated by the volume of business for the HRB. The group will meet at least quarterly.

7.2 Board papers will be circulated at least 5 working days in advance of the board meetings.

7.3 Board papers will be published on the council's website after the meeting, except where the Board determine that the information contained therein would be exempt from disclosure.

7.4 It is expected that the Member Working Groups will reach decisions by consensus where possible. Where there is no agreement, the voting Members will cast a vote and if there is an equality of votes Chair shall have the right to exercise a casting vote.

7.5 The Group will agree ways of working appropriate to the role and remit of the Group.

## **8. Review**

8.1 These terms of reference may be reviewed and amended by Policy & Resources Committee.

## **27. TERMS OF REFERENCE FOR 2030 CARBON NEUTRAL MEMBER WORKING GROUP**

**1. Name** 2030 Carbon Neutral Member Working Group (MWG).

**2. Purpose** A 2030 Carbon Neutral Programme has been established to help achieve a key policy objective of Brighton & Hove City Council in becoming carbon neutral by 2030. The Cross-Party MWG will oversee the programme development and implementation, including the development of an engagement programme and City Assembly.

**3. Status** The 2030 Carbon Neutral Programme MWG shall be an advisory board to the Policy & Resources Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross-party basis.

### **4. Areas of focus**

The cross-party MWG has oversight of the development and delivery of the 2030 Carbon Neutral Programme to help ensure the core programme objectives are met. These objectives are to:

- Agree a methodology for recording emissions that allows the Council and the City to readily compare our progress with other UK and international cities working to achieve similar targets (eg the SCATTER model developed by Manchester University).
- Develop and deliver an engagement plan / City Assembly process to harness the knowledge and enthusiasm of partners and local residents.
- Develop and implement a high-level plan to meet the 2030 target – delivered through a coordinated programme of projects.
- Develop and deliver a communications plan to support activities and engagement.
- Continue to collate information on our current carbon reduction initiatives and assess the contribution these will make to the 2030 target.

The MWG also has oversight for the delivery of the Carbon Neutral Fund (CNF) and the Climate Action Fund (CAF). Final decisions on the allocation of these two funds are made by Policy & Resources Committee.

### **5. Reporting**

The Board will report to Policy & Resources Committee, with recommendations as necessary.

### **6. Membership**

Membership of the Board shall consist of 8 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **7. Meetings and Ways of Working**

The timing and number of meetings will be dictated by the volume of business for the MWG. The Group will agree ways of working appropriate to the role and remit of the Group.

**8. Review**

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

## 28. CITY DOWNLAND ESTATE ADVISORY PANEL - TERMS OF REFERENCE

### Introduction

Brighton and Hove City Council holds, in public ownership, 12,500 acres of Downland Estate surrounding and within the City of Brighton and Hove. The City Downland Estate covers the council's tenanted farmland and grazing land managed by the Estates Team and "conservation land" managed by Cityparks. The city is one of the largest landowners in the South Downs and its estate is the largest publicly owned estate in the Park.

Some years ago, the council adopted a City Downland Estate policy whose overarching aim and vision is to: *reconnect the people of Brighton & Hove to a more biodiverse Downland with better education, improved access and a better sense of connection to the land*

ETS Committee in July 2013 adopted the policy statement to:

***'Sustain natural resources provided by the council's downland estate by working in partnership with relevant stakeholders and potential beneficiaries and pursuing an economically sustainable approach for the council and its tenant farmers.'***

The City Downland Estate is mainly within the South Downs National Park which itself has two statutory purposes and a Special Duty:

- *To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;*
- *To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.*
- *Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.*

Brighton & Hove is part of the Living Coast UNESCO World Biosphere Region which extends from the Adur to the Ouse and covers the City Downland Estate. The core of the biosphere is BHCC land. The Biosphere has three key objectives:

- *To conserve and enhance nature*
- *To support sustainable human development*
- *To promote environmental awareness, knowledge, learning and engagement*

and six themes:

- *Urban Greening*
- *Strengthening our Natural Capital*
- *Thriving Communities – health, wellbeing & economy*
- *Climate Change & Carbon*
- *Awareness, Understanding & Engagement*
- *The Living Coast as a site for Research & Knowledge Sharing.*

There are other legislative drivers such as the Water Framework Directive which will shape future policy development for the City Downland Estate.

Two years ago, Brighton & Hove City Council passed a notice of motion committing it to net zero carbon emissions by 2030. Since then, the Corporate Plan passed under the Labour administration reiterates the commitment to net zero carbon emissions by 2030 and promises to promote and protect biodiversity. It undertakes to develop a new City Downland Estate plan to promote biodiversity, mitigate climate change and deliver health and social benefits for communities.

### **Asset Management Board**

*Within the council, the purpose of the Asset Management Board ('the Board') is to advise the Policy & Resources Committee and other relevant Policy Committees on policy, governance and strategies relating to the management of the Council's urban and rural estates, and how this relates to the Corporate Strategic Plan.*

It currently has oversight of the city council's operational and non-operational portfolios. It reviews and monitors the management of the city council's urban and agricultural asset management policies. Among other things, it advises P&R Committee on maximising the use of the council's commercial assets in the context of the council's budget and the development of an asset investment strategy for the council's urban portfolio to reduce its latent risk and consolidate its performance. It continues to promote regeneration in the City, with a focus on low-cost housing, community wealth building and moving to a low-carbon economy. It advises on the implications of Brexit in relation to the council's urban and rural estates; agree an approach to define and measure social value in relation to the council's rural and urban estates and reviews the circumstances under which agricultural land can be identified for release or acquisition, alongside a wider review of the agricultural strategy in the council's Asset Management Plan (AMP) and considers the definitions of agricultural core and non-core property. It is currently (December 2020) advising on the development of a Whole Estate Plan for the City Downland Estate in partnership with South Downs National Park.

Property & Design are currently conducting a consultation on a Whole Estate Plan facilitated by community consultation experts Planning for Real around how we best protect the city's water, enhance biodiversity, improve access to the downland, regenerate the soil, encourage sustainable agriculture and mitigate and adapt to the climate emergency, all within the context of the council's commitment achieve net zero carbon emissions by 2030.

The council is committed to making the consultation as inclusive and thorough as it can be, given the current Covid-related restrictions. To this end, it has sent postcards to around 140,000 households with Brighton & Hove addresses; is conducting a number of online Planning for Real Zoom sessions and is inviting input via the website and the Bang the Table platform.

### **Purpose of the Downland Advisory Panel**

The council recognises that, in addition to engaging local residents, it particularly needs input from key stakeholders such as the SDNPA, the Downland Alliance, the Sussex Wildlife Trust, the Permaculture Trust, the Brighton & Hove Food Partnership, Southern Water, the Local Access Forum,

the Brighton & Hove Estate Conservation Trust, BMECP/the Trust for Developing Communities and tenant farmers.

Following the initial round of Planning for Real consultations, it is proposed that these organisations be approached for specific input into the discussion and to gauge their interest in serving on the Advisory Panel.

Once the WEP is completed, the purpose of the Downland Advisory Panel will be to provide advice on its implementation within the SDNPA purposes and duty, the Biosphere objectives and the incorporation of BHCC Corporate Plan objectives around carbon neutral 2030 and community wealth-building. This means advice on policy development, plans and delivery. The Advisory Panel will report annually to the P&R Committee on implementation of the Whole Estate Plan and to the Asset Management Board on an ad hoc basis but at least twice a year.

The advice will be used to inform decisions made by the council to further its policy aims.

Day to day management of the estate will be undertaken by the council within policies agreed by the Council.

### **Membership**

Membership of the Panel needs to reflect the main and varied interests in the Downland Estate, specifically, the interests of future generations and the city's BME communities, as well as bringing in different expertise from different organisations able to advise on aspects of Downland policy which will allow the purpose of the Panel to be met. Membership will be by invitation from the Council and the Panel and will be kept under review as the Advisory Panel develops.

- Farming representatives x 2
- Council officer representatives and Land Managing Agents
- 5 members, to reflect the constitution political party representations on the council
- SDNPA x 1
- Downland Alliance representative x1
- Sussex Wildlife Trust x 1 who should also represent the SWT's youth rangers
- BMECP/the Trust for Developing Communities x 1
- Permaculture Trust x 1
- Brighton & Hove Food Partnership x 1
- Moulsecoomb Forest Garden and Wildlife Project x 1
- Aquifer Partnership x 1
- Local Access Forum x 1
- Brighton & Hove Estate Conservation Trust x 1
- Sussex Partnership NHS Foundation Trust x 1
- The Living Coast x 1

Expert advice will need to be drawn on as required and decided by the Advisory Panel from, for example, investment and business experts, tourism professionals, the National Trust and ecologists.

### **Governance**

The Advisory Panel will be chaired by the member from the party that currently holds the administration. The secretariat will be provided by Brighton and Hove

City Council. While the Council's political make-up is represented on the Panel, members also have the opportunity to influence Downland policy through the Asset Management Board. The focus of the panel is on hearing from key stakeholders.

The schedule of meetings will need to be agreed by the Advisory Panel with regard to the level of advice requested. Each year the Council should set out its work programme with the Advisory Panel. This will provide an indication of the type and level of advice that is likely to be needed and a schedule of meetings can be established as required which also allows for flexibility.

**Review**

The work of the Advisory Panel is subject to review by the Asset Management Board. However, the Panel will report directly to the Policy & Resources Committee and shall do so at least once a year.

## **29. CROSS-PARTY WORKING GROUP FOR PLANNING POLICY – TERMS OF REFERENCE**

### **Purpose**

The purpose of the Cross-Party Working Group for Planning Policy (“the CPWGP”) is to help the City Council develop and implement its Development Plans and Planning Policy Guidance as part of its activities, including partnership work with other agencies and bodies.

### **Status**

The CPWGP shall be an advisory board to the Tourism, Equalities, Communities & Culture Committee. The CPWGP will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the CPWGP will be established on a cross party basis.

### **Areas of focus**

The CPWGP will oversee the progress of the development and reviews of the Council’s Development Plans and other Planning Policy Guidance, and review their content having regard to evidence, national planning policy and guidance, best practice and corporate priorities.

### **Reporting**

The CPWGP will report to the Tourism, Equalities, Communities & Culture Committee, making recommendations as necessary.

### **Membership**

Membership of the CPWG will consist of 3 elected Members, following nominations by the Group Leaders to reflect the political composition of the Council.

### **Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the CPWGP. The Group will agree ways of working appropriate to the role and remit of the Group.

### **Review**

These terms of reference may be reviewed and amended (subject to formal Policy & Resources Committee) by the Tourism, Equalities, Communities & Culture Committee from time to time.

## **ADVISORY BODIES**

The bodies listed below are responsible for advising the Council, its Committees and officers and thereby assisting in the effective discharge of council functions. Where elected members are appointed to a body this is indicated below.

A comprehensive list of the external and internal bodies to which elected members are appointed in May of each calendar year in order to carry out the council's functions, to advise the Council's decision-making bodies or otherwise to represent the Council is published in the annual Report to Full Council.

## **1. ARTS AND CREATIVE INDUSTRIES COMMISSION**

### 1. Purpose

- 1.1 The purpose of the Arts and Creative Industries Commission is to support, promote and develop the arts and creative industries in Brighton & Hove.

### 2. Objectives and Terms of Reference

- 2.1 To improve the profile and economic potential of the Brighton & Hove's artists and creative organisations.
- 2.2 To oversee policy development in the area of arts and creative industries and contribute to other relevant policy development in the Brighton & Hove.
- 2.3 To inform and act as a resource for the Council representing the Brighton & Hove's cultural sector.
- 2.4 To promote innovative thinking, best practice and joint working in the sector.
- 2.5 To represent and advocate for the Brighton & Hove's arts and creative industries sector in a regional or national capacity as required.

### 3. Reporting

- 3.1 The Arts and Creative Industries Commission has a place on the Local Strategic Partnership and responsibilities delegated from that Partnership.
- 3.2 The Arts and Creative Industries Commission reports to the Tourism, Equalities, Communities & Culture Committee on an annual basis.
- 3.3 The Arts and Creative Industries Commission operates in an advisory capacity and does not have decision-making powers.

### 4. Membership

- 4.1 The Arts and Creative Industries Commission consists of up to 30 members including representatives from across the arts and creative industries, business, tourism, heritage, education sectors and the local authority appointed by the Executive Sub Group of the Commission which has responsibility for membership.
- 4.2 The Chair of the Arts and Creative Industries Commission is appointed by the Chief Executive after consultation with the Leaders of the political groups in the Council.

4.4 Six of the members of the Arts and Creative Industries Commission are Members appointed by the Council.

4.4 The membership of the Arts and Creative Industries Commission is reviewed annually by the Executive Sub Group of the Commission.

## 6. Review

5.1 The work of the Arts and Creative Industries Commission will be reviewed annually by the Tourism, Equalities, Communities & Culture Committee.

## 2. INDEPENDENT REMUNERATION PANEL

### 1. Purpose

- 1.1 The principal duties of the statutory Independent Remuneration Panel are (a) to advise the Council on its scheme of allowances to be paid to Members and co-optees to the Council and (b) to advise Rottingdean Parish Council on its scheme of allowances for Parish Council members.

### 2. Objectives and Terms of Reference

- 2.1 The functions of the Independent Remuneration Panel are as set out in Regulation 21 of the Local Authorities (Members' Allowances) (England) Regulations 2003, namely to produce a report in relation to Members of the Council making recommendations:

- (a) as to the amount of basic allowance which should be payable to Members;
- (b) as to the duties in respect of which such Members should receive a special responsibility allowance and as to the amount of such allowance;
- (c) as to whether the allowance scheme should include allowances in respect of the expenses of arranging for the care of children or dependants of such Members and the amount of such allowances;
- (d) as to the responsibilities or duties in respect of which a travel and subsistence allowance should be available;
- (e) as to the responsibilities or duties in respect of which a co-optees' allowance should be available;
- (f) as to whether payment of allowances may be backdated in accordance with Regulation 10(6) in the event of the scheme being amended at any time;
- (g) as to whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply;
- (h) as to which Members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972;
- (i) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable;
- (j) as to whether any allowances to Members should be withheld in the event of the Member concerned being suspended or partially suspended.

- 2.2 Where the Independent Remuneration Panel exercises its functions in relation to the Parish Council within the authority's area, its functions are as set out in Regulation 28 of the Local Authorities (Members'

Allowances) (England) Regulations 2003, namely to produce a report in relation to members of the Parish Council making recommendations:

- (a) as to the amount of parish basic allowance which should be payable to Parish Council members;
- (b) the amount of travelling and subsistence allowance payable to members of such authorities;
- (c) as to whether parish basic allowance should be payable only to the chair of the Parish Council or to all of its members;
- (d) as to whether, if parish basic allowance should be payable to both the chair and the other members of any such authority, the allowance payable to the chair should be set at a level higher than that payable to the other members and, if so, the higher amount so payable;
- (e) as to the responsibilities or duties in respect of which members should receive parish travelling and subsistence allowance.

2.3 In addition to the functions under 2.1 and 2.2 above, the Independent Remuneration Panel may, if requested to do so by the Monitoring Officer, consider the expenses allowances paid to the Mayor and Deputy Mayor under Sections 3 and 5 of the Local Government Act 1972.

### 3. Reporting

3.1 The Independent Remuneration Panel reports through Policy & Resources Committee to the Full Council.

### 4. Membership

4.1 The Independent Remuneration Panel consists of between three and five members, appointed by the Monitoring Officer after consultation with the Chief Executive. Any person who is a Member, or otherwise a co-optee of the Council, or is disqualified from being a Member is not eligible for appointment.

4.2 Members of the Independent Remuneration Panel are appointed for an initial term of three years. The Council may, at its discretion, extend this period. The Council or the member of the Panel may determine the appointment by giving one month's notice.

4.3 The Independent Remuneration Panel is chaired by a person appointed by the Panel from its members.

4.4 The Independent Remuneration Panel meets on such dates and at such times as the Panel may determine, having regard to the advice from the Monitoring Officer.

4.5 The quorum for meetings of the Independent Remuneration Panel is at least 50% of the members of the Panel.

5. Review

- 5.1 The arrangements for the Independent Remuneration Panel are principally statutory, but otherwise are subject to review by the Full Council, through the Policy & Resources Committee.

### **3 CONSERVATION ADVISORY GROUP**

#### **1. Purpose**

1.1 The purpose of the Conservation Advisory Group is generally to advise the Council on the development and implementation of the Conservation Strategy, on major planning applications or Council proposals affecting conservation areas, listed buildings or other heritage assets and on the development of policies for the protection of the historic built environment.

#### **2. Objectives and Terms of Reference**

2.1 To promote the objectives of conservation and to facilitate communication between the public and the Council on matters of conservation, historic buildings and archaeology.

2.2 To encourage the conservation and improvement of conservation areas, buildings of architectural or historic interest, other areas of historical interest and areas of archaeological interest within Brighton & Hove.

2.3 To provide advice and comments on planning applications affecting listed buildings, conservation areas, locally listed buildings and historic parks and gardens, or their settings, where visible from the public realm or accessible to the public and additionally to act as a source of advice and comments on other schemes promoted by the council that impact on conservation areas.

2.4 To assist in the development and formulation of policies to preserve and enhance conservation areas and buildings of architectural or historic interest in Brighton & Hove.

2.5 To encourage, through the appropriate mechanism, the notification of unauthorised works and non-compliance with any planning approval affecting historic buildings or conservation areas.

#### **3. Reporting**

3.1 The Conservation Advisory Group principally reports to the Planning Committee. However, the interests of the Group are relevant to a range of Council activities and other Committees may request advice and comments from the Group when there is a need for input from a conservation perspective.

3.2 The minutes of the meeting record an agreed form of words that is reported as the comment of the Conservation Advisory Group. The Chair shall approve the recommendations on planning applications and send them to the council within 5 working days of the meeting. Full minutes shall be sent to the council at least 5 working days before the date of the next Conservation Advisory Group meeting.

## 4. Membership

### 4.1 Considerations for appointment to the Group:

The Conservation Advisory Group aims for a broad, locally based membership, to ensure that the Council is able to effectively disseminate and collect local conservation information;

- The Conservation Advisory Group's criteria in relation to local groups and societies are for membership to be drawn from representative organisations only, which are open to all residents or traders in an area without any selection criteria. Each organisation should hold regular meetings and an annual meeting at which officers of the organisation are democratically elected.
- Member groups or societies should:(i) submit an annual report and the minutes of their AGM; (ii) have as one of their stated or implied aims the conservation of the historic fabric or archaeological interest of their area; (iii) as far as possible represent the whole (or a large proportion) of one of the designated conservation areas of Brighton & Hove; and iv) submit the names of their representative or nominee and substitute annually to the Council or on changes intra term.
- Membership should predominantly represent local groups (being not less than 2/3<sup>rd</sup> of the total membership of the Conservation Advisory Group) although local nominees from national statutory consultees and Sussex county-based heritage and conservation societies may be invited to join.(e) As far as possible, the local society or group should represent the whole (or a large proportion) of one or more of the designated conservation areas of Brighton & Hove. No conservation area should be represented by more than one member.
- Members of the Conservation Advisory Group should declare their membership of all committees of societies which are represented on Group, a register of which is to be lodged with the Council.
- Members of the Conservation Advisory Group should ensure that the views expressed at Group meetings do not conflict with the views of the body they represent.
- Members must declare any interests which may prejudice their views in Conservation Advisory Group discussions.

### 4.2 Other constitutional matters

- (a) The Conservation Advisory Group is entirely advisory and does not have executive powers;
- (b) The Conservation Advisory Group will provide its own secretariat;

- (c) Agendas are produced by officers of the Council in consultation with the Chair;
- (d) The Chair and any other officers of the Conservation Advisory Group are elected from the membership each May and at other times if necessary;
- (e) Group members must abide by the Council code of Conduct for Advisory Bodies (2004 or as amended);
- (f) The Conservation Advisory Group may establish sub-groups as required;
- (g) The Conservation Advisory Group shall advise the Council on nominations for new members of the Group;
- (h) Any sub-groups, nominee (or substitute) representing the Conservation Advisory Group at Council meetings shall be elected by a vote at a full meeting of the Group and shall faithfully report the views of the Group as agreed and minuted;
- (i) The membership of the Conservation Advisory Group is subject to review by the Council's Policy & Resources Committee.

## 5. Review

5.1 The terms of reference of the Conservation Advisory Group are subject to review by the Policy & Resources Committee.

#### **4 HOUSING AREA PANELS (X 4)**

1. Purpose
  - 1.1 The role of each of the Council's four Housing Area Panels is to advise the Council in its landlord role as local housing authority, with particular attention to anything affecting the area concerned.
2. Objectives and Terms of Reference
  - 2.1 To consider reports relating to the Council's role as landlord, including performance, services, budgets, major repairs programme development and delivery, policy issues and service development, within the boundaries of the Housing Area Panel.
3. Reporting
  - 3.1 Matters raised at Housing Area Panels may be referred to the Housing Committee.
4. Membership
  - 4.1 Each Housing Area Panel comprises all ward Members within the boundaries of the Housing Area Panel, together with tenant and resident association representatives.
5. Review
  - 5.1 The terms of reference of the Housing Area Panels are subject to review by the Policy & Resources Committee.

## **5. BRIGHTON & HOVE, AND BARNARDO'S LINK PLUS, JOINT FOSTERING PANEL**

1. Purpose
  - 1.1 To be the Joint Fostering Panel in accordance with the Fostering Services (England) Regulations 2011 and to carry out the responsibilities of a fostering panel under the relevant legislation.
  
2. Membership
  - 2.1 One elected Member and such other persons as may form part of the Joint Fostering Panel.

## 6. YOUTHWISE – TERMS OF REFERENCE

### **Purpose**

Views and recommendations from this group will be taken into account and will be represented at the Children, Young People and Skills Committee by the Councillors and Youth Council representative.

### **Membership**

- Councillors – usually one Member from each of the three political groups in the council who attend the Children, Young People and Skills Committee
- Young people from different areas, groups and youth services in the city including representatives from the Youth Council, Children in Care Council, commissioned youth projects and other youth organisations.
- Executive Director or Assistant Director of Families Children & Learning.
- Youth workers to support young people if deemed necessary
- Council Officer to oversee organisation and administration

**Frequency** – Every 3 months, with task and finish groups as agreed and additional meetings set up when deemed necessary. Young people to meet before the more formal meeting with councillors and senior officers.

**Venue** – The young people were keen to hold the meeting in various venues because it would be good to get to know other youth venues. Agreed to rotate venues across the city and include more formal meeting places to give young people that experience.

**Agenda** The young people would like the agenda going out well in advance (month before the meeting) so they have time to garner the views from the young people in their group so their voices can also be brought to the meeting. Agenda items can be proposed by young people, councillors or senior council officers.

**Chairing** The Chair of Children, Young People and Skills Committee Lead to chair the meeting with, if there is a volunteer, a young person.

**Organisation/Administration** Council Officer to organise the meeting, consult and agree an agenda, circulate papers a month in advance and type up notes from meeting and circulate. Communication We need to reach out to other young people; past members have been involved, mainly due to knowing and having a good relationship with a youth worker. It was agreed that we need a robust communication plan with the meeting dates, agenda items and how they can feed into the group published widely via various routes such as Facebook. It was agreed that further discussion is required on this.

## **7. ORBIS PARTNERSHIP OVERSIGHT BOARD**

### **1. Purpose**

To oversee and monitor the delivery of the Orbis Partnership for the benefit of each participating council, and in particular to:

- i. Monitor the performance of the partnership and seek assurance that Orbis is acting according to its mission and business plan and has the resources to do so, including oversight of the external contract performance of Orbis Services.
- ii. Provide constructive challenge to ensure Orbis remains fit for the future.

The board will provide an opportunity for members of the partner authorities to have oversight of the performance of the partnership which would otherwise need to be considered separately through sovereign policy committees or cabinet member meetings. This would be both administratively burdensome but would also mean there would be no opportunity for members to come together and jointly discuss and consider the effectiveness of the partnership. Formal decisions will still be required to go through sovereign processes.

### **2. Areas of focus**

- i) Monitoring performance compared to the business plan
- ii) Providing oversight of services provided by Orbis under external contract.
- iii) Reviewing the effectiveness of the Orbis Partnership.

### **3. Reporting**

The Orbis Partnership Oversight Board will report to the suitable Committee at each sovereign partner organisation as appropriate and with recommendations as necessary.

### **4. Membership**

Each Partner Council shall appoint two members to the Board in accordance with the governance arrangements of each Council.

The chair of the meeting shall be the member of the Council which is hosting the meeting virtually or physically.

### **5. Quorum**

The quorum for any meeting of the Board will be three members, provided that one member is in attendance from each Council.

### **6. Meetings and ways of working**

The board will meet at least once per year. The board may hold additional meetings as it determines necessary.

Meetings may be held virtually or face-to-face. The virtual (or physical) location will be chaired/hosted on an alternate basis.

## **7. Review**

These terms of reference may be reviewed and amended by sovereign organisations from time to time, subject to the agreement of all partners.