

PART 4 SCHEME OF DELEGATION TO COMMITTEES AND SUB-COMMITTEES

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Introduction and General Delegations

A. Introduction

1. This scheme of delegations sets out the functions of the Council discharged by the Council, its Committees and Sub-Committees. Under the heading of 'Other Bodies & Partnerships', it also lists both additional statutory as well as some of the non-statutory bodies which have either been set up by the Council or which the Council appoints members to. 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 Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration Committee at that point, then the matter may instead be referred directly to Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration 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. Any member of a Sub-Committee may request that a report be made to the parent Committee at any 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 Other Bodies & Partnerships listed in this Part describe some of the arrangements which the Council has entered into with outside bodies and stakeholders to ensure the effective discharge of its functions. A more comprehensive and up to date list of the current arrangements may be found in the appendix to the most recent [annual Report to full Council](#).
13. 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.
14. 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.
15. Any interpretation of this scheme shall be in accordance with the Council's wishes that the scheme shall not be construed restrictively.
16. 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.
17. 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 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 made by the Strategy, Finance & City Regeneration Committee. Any proposed acquisition or disposal of land not covered by the Scheme of Delegation to Officers shall be referred to the Strategy, Finance & City Regeneration 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. NB Permanent member working groups may only be established by the Council's Strategy, Finance & City Regeneration Committee or by full Council, normally at the recommendation of the parent Committee. Where they have been established, their Terms of Reference will be published in the Council's Constitution and they will be reviewed annually, only being retained where clear evidence of their effectiveness has been identified.

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. Other Bodies & Partnerships

The Other Bodies & Partnerships listed in this Part describe some of the arrangements the Council has chosen to enter into with outside bodies and stakeholders in order to ensure the more effective discharge of its functions, as well as any working groups which the Council participates in on an ongoing basis. The Council's partnership arrangements range from formally constituted joint committees to more informal arrangements involving other bodies and/or individuals, such as boards, panels and groups. These arrangements vary over time. A more comprehensive and up to date picture may be found in [the annual Report to full Council](#) in May of each year, when members are appointed to these Bodies.

COMMITTEES - Terms of Reference

STRATEGY, FINANCE & CITY REGENERATION 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. 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.
- (b) To review major projects and any project Boards having regard to capacity to deliver, corporate priorities and resources.

4. 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.

5. 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.

6. 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.

7. 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, Families & Schools Committee.

8. Management of Establishments

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

9. 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.

10. Best Value

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

11. 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.

12. 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.

13. 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.

14. 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 Strategy, Finance & City Regeneration Committee rather than Full Council.

15. 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.

16. Communities

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

17. Equalities

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

Note: the Equalities, Community Safety & Human Rights Committee has concurrent delegated powers for Equalities and Inclusion.

18. 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.

19. Members' Allowances

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

20. Member budgets

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

21 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.

22. 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.

23. 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.

24. 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 Strategy, Finance & City Regeneration 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.]

HOUSING & NEW HOMES 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 Strategy, Finance & City Regeneration 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, FAMILIIES & SCHOOLS 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, Families and Schools 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.

CITY ENVIRONMENT, SOUTH DOWNS & THE SEA COMMITTEE

Explanatory Note

This Committee is responsible for the Council's functions relating to waste, parks and open spaces, environmental health, coast protection and trading standards.

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 and water 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. Water environment

To lead on the Council's community leadership, advocacy and partnership roles in relation to the protection and enhancement of the water environment.

6. Coast Protection and Flood Defence

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

7. Scrutiny of Flood and Coastal Erosion Plans

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

8. Bereavement and Coroner's Services

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

9. 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.

TRANSPORT & SUSTAINABILITY COMMITTEE

Explanatory Note

This Committee is responsible for the Council's functions relating to highways management, traffic management and transport, parking and sustainability.

Delegated Functions

1. 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, the co-ordination of transport for service users and external partnerships connected to public passenger transport;
- (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.

2. Parking

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

3. 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.

4. 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.

EQUALITIES, COMMUNITY SAFETY & HUMAN RIGHTS COMMITTEE

Explanatory Note

This Committee has overall responsibility for co-ordinating the Council's approach to equalities, communities and the third sector, including all matters relating to community safety and inclusion. The Committee discharges its functions by either making decisions itself or, as necessary, making recommendations to the most appropriate body. Some of its terms of reference overlap with other committees. Where this is the case, the relevant committees have concurrent delegations.

Delegated functions

To discharge the Council's functions relating to equalities, community safety, neighbourhoods and community development and the third sector. The Committee exercises its functions with due regard to the need to prevent people from being drawn into terrorism, while co-ordinating through its Prevent Board the Council's delivery of its statutory Prevent duty imposed by the Counter-Terrorism and Security Act 2015.

1. Equalities

To discharge the Council's functions regarding equalities, inclusion and Human Rights.

2. 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 Community Safety Partnership and the work of the two bodies will be co-ordinated to ensure that they complement each other and avoid duplication where possible.

3. Community and voluntary sector

To develop, oversee and make decisions regarding the implementation of the Council's Communities and Third Sector policies, investment in and support to the community and voluntary sector.

4. Crime and Disorder Committee

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

5. Neighbourhood and community development

To monitor and review the operation of any neighbourhood based delivery of services and make recommendations as necessary.

6. 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 through the Prevent Board.

7. Active Citizenship and Community Resilience

- a) To develop, oversee and make decisions regarding proposals to increase active citizenship and make recommendations to Strategy, Finance & City Regeneration Committee.
- b) To develop, oversee and make decisions regarding proposals to improve community resilience and make recommendations to Strategy, Finance & City Regeneration Committee.

8. Refugee and Migrant Integration

To oversee plans and programmes of support for resettling refugees and asylum seekers, bringing communities together and ensuring people are welcome, including City of Sanctuary commitments.

9. Modern Slavery

To approve the Council's Modern Slavery Statement

10. Libraries Service

To oversee the Council's Libraries and information service and recommending the Libraries Plan to full Council for approval.

CULTURE, HERITAGE, SPORT, TOURISM & ECONOMIC DEVELOPMENT COMMITTEE

Explanatory Note

The Committee has responsibility for co-ordinating the Council's approach to economic growth & regeneration, culture, tourism and leisure and planning policy.

Delegated Functions

1. Building Control

To exercise the Council's functions regarding building control.

2. Conservation and Design

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

3. Culture, Arts and Heritage

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

4. Economic Growth and Regeneration

(a) To exercise the Council's functions regarding the promotion of economic growth and the establishment or development of business sectors. This includes partnerships for the purposes of advancing the local economy such as with the city's universities.

(b) To promote and develop the economic fundamentals of Brighton & Hove in areas such as adult skills, productivity and development sites.

5. 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 Strategy, Finance & City Regeneration Committee).

6. Leisure, Sports and Recreation

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

7. Museums

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

8. 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.

9. Seafront for Leisure

To exercise the Council's functions regarding leisure activities undertaken on the seafront including the esplanade, beach and foreshore.

10. Tourism & Marketing

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

11. 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.

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 Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration Committee and to make recommendations to the Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration 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.

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 & LICENSING (2003) COMMITTEES

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.

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 racially minoritised communities, people with disabilities, LBGTQ 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

5 Members of the Council, plus other voting members determined having regard to the requirements of the Health and Social Care Act 2012, as well as other non-voting co-optees'. Additional non-voting co-optees include such other persons, or representatives of such other persons, as is deemed appropriate.

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 Integrated Care Board ('the ICB') 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/or 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 Integrated Care System Shared Delivery Plan and 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 NHS Sussex'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 Integrated Care System Shared Delivery Plan to the National Health Service Commissioning Board and to provide the Brighton & Hove Integrated Care Partnership with a copy of this referral;
10. To monitor the Integrated Care System Shared Delivery 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 ICB 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 Strategy, Finance & City Regeneration 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.

ADULT SOCIAL CARE AND PUBLIC HEALTH SUB-COMMITTEE

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.

OTHER BODIES & PARTNERSHIPS– Terms of Reference

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 Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration Committee.

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.

CORPORATE PARENTING BOARD

1. Purpose

The Corporate Parenting Board reports to the Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration 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

- 5 elected Members, plus
- up to 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 Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration Committee.

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 1st 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 GBBP 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.

SUSSEX HEALTH CARE ASSEMBLY (SUSSEX INTEGRATED CARE PARTNERSHIP)

Governance

1. The Sussex Health and Care Assembly (the Assembly) is a formal partnership forum jointly established by NHS Sussex, Brighton & Hove City Council, East Sussex County Council and West Sussex County Council (the three Local Authorities) in accordance with the Constitutions of each body. The Assembly is the Integrated Care Partnership for Sussex, established under the Health and Care Act 2022 and these Terms of Reference have been agreed by each of these bodies.

Purpose

2. The purpose of the Assembly is to support and promote greater integration and collaboration across health and social care at a strategic, Sussex-wide level. It will build upon the local Health and Wellbeing Strategies and co-ordinate the strategic direction for meeting the broader health, public health and social care needs of the population of Sussex to settle an Integrated Care Strategy for Sussex. It will undertake any other activities agreed by NHS Sussex and the three Local Authorities to help address the wider determinants of health and wellbeing and greater health equality at a strategic level. Its work will build upon and be informed by work at place level in Brighton & Hove, East Sussex and West Sussex, including through the local Joint Strategic Needs Assessments.

Responsibilities

The Assembly will:

1. Develop, approve and publish an Integrated Care Strategy for the whole population of Sussex, using best available evidence and data, covering health and social care and addressing the wider determinants of health and wellbeing. This will be built from local assessments of needs and assets identified at place level, based on Joint Strategic Needs Assessments.
2. Complement existing governance arrangements including Health and Wellbeing Boards (HWBs) and other place-based partnerships, and ensure governance and decision-making are proportionate, support subsidiarity and avoid duplication across the Sussex Health and Care System.
3. Promote and enhance integrated approaches, partnership working and collaboration within the Sussex health and care system, where these can improve planning, outcomes and service delivery.
4. Complement place-based working and partnerships, developing relationships on a pan- Sussex basis

7. Highlight where coordination is needed on health and care issues and, through the development, promotion and oversight of the Integrated Care Strategy, challenge partners to deliver the action required. This includes, but is not limited to:
 - ✓ helping people live more independent, healthier lives for longer;
 - ✓ taking a holistic view of people’s interactions with services across the system and the different pathways within it;
 - ✓ addressing inequalities in health and wellbeing outcomes, experiences and access to health services;
 - ✓ improving the wider social determinants that drive these inequalities, including employment, housing, education, environment, and reducing offending;
 - ✓ improving the life chances and health outcomes of babies, children and young people;
 - ✓ improving people’s overall wellbeing and preventing ill-health.
8. In preparing the Integrated Care Strategy:
 - ✓ consider the extent to which the needs could be met more effectively by the making of arrangements under section 75 of the National Health Service Act 2006 (rather than in any other way);
 - ✓ have regard to—
 - (a) the mandate published by the Secretary of State under section 13A of the National Health Service Act 2006, and
 - (b) any guidance issued by the Secretary of State;
 - ✓ involve the Local Healthwatch organisations for Sussex and involve the people who live or work in Sussex; and
 - ✓ may include a statement of its views on how arrangements for the provision of health-related services in the area could be more closely integrated with arrangements for the provision of health services and social care services.
9. Each time the Assembly receives an assessment of relevant needs it will:
 - (a) consider whether the current Integrated Care Strategy should be revised, and
 - (b) if so, prepare a revised Integrated Care Strategy.
10. Report to NHS Sussex and the Health and Wellbeing Board of each of the three Local Authorities after each meeting of the Assembly, highlighting any issues that require action.

Members

11. As set out in the Health and Care Act 2022, the core membership of the Assembly (as the Integrated Care Partnership) is NHS Sussex and the three local authorities. The composed Assembly may then appoint others. The three Local Authorities and NHS Sussex will each appoint their members to the Assembly in accordance with their respective Constitutions. Members are bound by the Standing Orders and Codes of Conduct of their respective appointing bodies, including those relating to equalities, confidentiality and information governance.
12. The Assembly will consist of the following members representing the four statutory

partners:

NHS Sussex [the Integrated Care Board] (3)

- ✓ Chair, NHS Sussex
- ✓ CEO, NHS Sussex
- ✓ Chief Delivery Officer, NHS Sussex

Brighton & Hove City Council (1)

- ✓ Health and Wellbeing Board Chair (or their nominated substitute)

East Sussex County Council (1)

- ✓ Health and Wellbeing Board Chair (or their nominated substitute)

West Sussex County Council (1)

- ✓ Health and Wellbeing Board Chair (or their nominated substitute)

One officer from each of the local authorities will also be permitted to attend to contribute towards the work of the Assembly and/or assist and advise the Health and Wellbeing Board Chairs as appropriate.

In addition to the membership from the statutory partners, the following members will also be appointed to support the work of the Assembly:-

- ✓ 3 x Place Executive Members, one from each place in Sussex
- ✓ 3 x Place Clinical Members, one from each place in Sussex
- ✓ 3 x Voluntary, Community & Social Enterprise Members, one from each place in Sussex
- ✓ 3 x Independent Health and Social Care Champion Members, one from each Healthwatch in Sussex
- ✓ 3 x University Members, comprising the three Vice Chancellors of the University of Brighton, the University of Chichester, and the University of Sussex respectively
- ✓ 3 x Specialist Members representing the further education, housing and local enterprise sectors respectively.

The Assembly will appoint further members or observers as it considers appropriate in line with its agreed work programme.

Procedure

Chairmanship

13. The Assembly will appoint its chair at its first meeting and will agree the term of office for the Chair. Assembly members may appoint a Vice Chair from amongst their membership. The Chair will be responsible for agreeing the agenda and draft minutes, and ensuring matters discussed meet the objectives as set out in the Terms of Reference.

Meeting proceedings and quorum

14. The Assembly will meet formally, in public, at least twice per year, unless the Assembly resolves to meet in private in accordance with reasons permitted by the legislation relevant to the meetings of public bodies. Additional meetings may take place as required, with the agreement of the Chair.
15. Meetings held in person will be at venues providing accessibility to the public. Members of the Assembly may attend remotely with the agreement of the Chair. Any formal public meetings held entirely virtually will be webcast to provide openness and transparency to the public.
16. The Assembly is quorate when there are four members of the Assembly present including at least one representative from NHS Sussex and each of the three Local Authorities. If the quorum has not been reached, the meeting may proceed if those attending agree, but no decisions may be taken. Members attending meetings virtually will be counted towards the quorum.
17. In any circumstance where a decision is required the Chair shall strive to ensure a consensus is achieved. If a vote has to be taken, in the event of an equality of votes, the Chair shall have a second or casting vote. Each core (NHS Sussex and local authority) member of the Assembly will be entitled to a single vote. The voting rights of any other members appointed by the Assembly will be determined by the Assembly.

Attendance

18. Where a member cannot attend a meeting of the Assembly, they may send a nominated substitute who will have equivalent voting rights.

Engagement

19. Where relevant to its responsibilities, the Assembly may engage and consult with partner organisations to promote strategic integration and collaboration across the health and social care sector in Sussex. This should not duplicate existing engagement/consultation arrangements, such as carried out at place level by Health and Wellbeing Boards. Key consultees of the Assembly will include:
 - ✓ Healthwatch Brighton and Hove, East Sussex and West Sussex
 - ✓ Patient Forums for each area of Sussex
 - ✓ Place-based partnerships
 - ✓ Higher and Further Education representatives
 - ✓ Housing representatives
 - ✓ Local Enterprise representatives
 - ✓ Others TBC.

Administration and access to agenda and reports

20. NHS Sussex will provide secretariat support to the Assembly.
21. Copies of the agenda and reports for meetings of the Assembly will be provided to Members (either via e-mail or in paper copy) and published on the NHS Sussex website (for public access) at least five clear working days before the meeting.

Assembly papers will be available online for a period of six years, after which time they will be archived.

22. Minutes of meetings shall be recorded by the secretary and submitted in draft form to the NHS Sussex Board, and the Health and Wellbeing Board of each of the three Local Authorities. The draft minutes will also be published on the NHS Sussex website once approved by the Chair. Minutes will be subject to final agreement by the Assembly.
23. The secretary will support the Chair of each Health and Wellbeing Board to prepare and deliver reports to the three Local Authorities' Health and Wellbeing Boards and the NHS Sussex Chair to deliver reports to the NHS Sussex Board.

Terms of Reference publication and review

24. These Terms of Reference will be published on the websites of NHS Sussex and the three Local Authorities.
25. As a new partnership forum, it will be important to ensure there is a robust review process for the Assembly. Its Terms of Reference will be reviewed by Assembly six months after its first formal meeting and after that on at least an annual basis. Any proposed changes will require the approval of NHS Sussex and the each of the three Local Authorities.

MEMBER ADVISORY GROUP: GRANTS

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 Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration Committee from time to time.

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.

JOINT STAFF CONSULTATION FORUM

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 Strategy, Finance & City Regeneration 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 Strategy, Finance & City Regeneration Committee from time to time.

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.

YOUTHWISE

1. Purpose

Views and recommendations from this group will be taken into account and will be represented at the Children, Families and Schools Committee by the Councillors and Youth Council representative.

5. Membership

- Councillors – usually one Member from each of the three political groups in the council who attend the Children, Families and Schools 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, Families and Schools 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.

DOWNLAND ADVISORY PANEL

1. Name

Downland Advisory Panel

2. Purpose

- 2.1 The purpose of the Downland Advisory Panel ('the DAP') is purely consultative. It exists to allow Brighton & Hove City Council ('BHCC') to draw on and access local skills, experience and expertise, to advise on the management of the City Downland Estate and assist with the strategic direction and implementation of the City Downland Estate Plan – its policy development, plans and delivery.
- 2.2 The collective views of the DAP will contribute to presentations and committee papers which are prepared by officers of BHCC. In this way, the DAP will support and inform the decision making processes followed by BHCC as responsible authority (see below).

3. Status

- 3.1 The Downland Advisory Panel shall provide a purely advisory function to the Council's Strategy, Finance & City Regeneration Committee and its Asset Management Board. It is a partnership body which includes both Council members and external organisations and does not have subcommittee status. While the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply, it is expected that those members of the DAP who are elected members of the Council ('BHCC') will be appointed on a cross party basis.

4. Areas of focus

- 4.1 The DAP's aim is to provide advisory support to contribute to BHCC's implementation of the following vision -

"A rejuvenated City Downland Estate will be carbon negative and climate resilient, its biodiverse grassland landscape fully restored and teeming with wildlife. The estate will be a locus for natural farming, where local food production will flourish.

By creating new amenities and opening up more land to the public – and by making it easier for all to visit and enjoy - the estate will fulfil its potential to boost the wellbeing of everyone who experiences it. The estate will be managed to reflect the will of the community. This land is yours."

4.2 With the above in mind, members of the DAP will collectively:

- Work to monitor the proper implementation of the City Downland Estate Plan, its Vision, Purposes, and the Outcomes in the City Downland Estate Plan (CDEP);
- Broaden and deepen engagement with the City Downland Estate, in particular through the active involvement of individuals and groups for whom its relevance and potential benefits have been limited until now;
- Establish the DAP as a shared vehicle for collaborative change across partners and sectors.
- Mobilise additional resources, knowledge, skills and commitments for the highest priorities of the CDEP;
- Offer support to assist BHCC in over-viewing progress towards CDEP outcomes across partners and sectors, identifying weak areas and helping to address them.
- Give strategic advice and objective, independent feedback to BHCC Asset Management Board to assist with CDEP implementation as required.

5. Reporting

5.1 The work of the DAP will be reported annually through an officer report that will be agreed at the Asset Management Board and then presented to the Council's Strategy, Finance & City Regeneration Committee. The DAP may also report on an ad hoc basis to the Asset Management Board with recommendations as necessary, the expectation being that if a CDEP-related item is on the agenda for the AMB, the DAP's views will have been sought in advance. Separate reporting to the AMB may not be necessary if the councillor members of the Asset Management Board are also members of the DAP.

6. Membership

6.1 The Chair of the DAP will be the Chair of the Council's Asset Management Board, supported by 2 vice chairs to be selected from the DAP's membership, and representing different sectors. The Chair and 2 vice chairs are referred to collectively in these Terms of Reference as 'the Chairs Group'.

Membership of the Board shall consist of appointees from the following sectors. NB Substitutes will not normally be permitted given the complexity of the subject matter:

- 1) BHCC Members and officers
- 2) Organisational stakeholders
- 3) Farm tenants and independent agricultural experts
- 4) Community and voluntary Groups

These sectors will make up the core membership of the DAP. Make up of each of the sectors is as follows:

BHCC Members

- 5 members (reflecting the political balance of the council), including the chair of the Asset Management Board. In cases where councillor members of the DAP are not also members of the AMB, there is an expectation that the former will fully brief the latter on DAP proceedings. Councillors who are not selected by their group to sit on the DAP shall be able to attend DAP meetings as observers.

BHCC Officers

- Officers with responsibility for managing the downland estate and giving corporate advice including Property & Design, City Parks, Sustainability, Public Health, Sports & Leisure, Education and Planning

Organisational stakeholders (including those with statutory advisory role)

One representative from each of:

- The Aquifer Partnership (TAP),
- South Downs National Parks Authority (SDNPA),
- The Living Coast (TLC)
- National Health Service (NHS)
- Sussex Wildlife Trust
- Brighton and Hove Food Partnership

Farm tenants/agriculture

- Two representatives from those holding farm tenancies within the BHCC downland estate and other tenancies
- One independent agricultural expert

Community Groups

- Brighton and Hove Estate Conservation Trust (1 representative)
- Brighton Downs Alliance (2 representatives)
- Trust for Developing Communities (1 representative)
- Brighton & Hove Archaeological Society (1 representative)
- Brighton & Hove Wildlife Forum (1 representative)
- Local Access Forum (1 representative)
- Local specialists / experts as set out below

- 6.2 Other relevant parties may be invited to participate in meetings on a meantime basis where particular areas of work would benefit from specialist input. Any additional individuals wishing to attend may do so as observers (at the reasonable discretion of the chair).

7. Quorum

- 7.1 A minimum of ten people is required for Panel meetings to proceed provided each of the groups listed at 1) – 4) in paragraph 6 above is represented.

8. Meetings and ways of working

- 8.1 DAP will meet at least 4 times a year. Meeting dates will be set annually to ensure optimal attendance and ensure coordination with other relevant meetings such as AMB.
- 8.2 The Chairs Group will be responsible for agreeing agenda items for DAP meetings.
- 8.3 The Asset Management Board and DAP Chairs Group will be supported by BHCC teams / staff/ officers and admin support.
- 8.4 Any DAP members identifying subjects for discussion at DAP meetings should contact either supporting officers from BHCC or members of the Chairs Group to add to agenda for a future meeting.
- 8.5 While the purpose of any potential items should be clearly stated, the DAP is not a decision-making body. It provides a consultative advisory input to the Council, which is responsible for all decision-making relating to the Downland. The purpose of the DAP is to enable to Council to seek the views of the wider community through the DAP's organisational stakeholders, farmers and community groups. Officers may be asked to provide context, but this is not the forum for officers or councillors to give their views.
- 8.6 BHCC officers may be asked to present input agreed by DAP to AMB.
- 8.7 DAP members will be invited to declare any conflicts of interest at the beginning of each meeting.
- 8.8 Where there is a discussion item on the DAP agenda that would benefit from expert input from organisations who are not DAP members, or from organisations not represented on DAP, DAP members may be invited to suggest people or organisations with relevant expertise. Any such request will be considered by the Chairs Group.
- 8.9 Task and Finish groups may be set up in between scheduled meetings to undertake specific pieces of work and present their findings to DAP.
- 8.10 Substitutes (whether of elected BHCC members or other representatives) will not normally be permitted due to the complexity of the subject matter and the sort of input required from all participants. With this in mind, there is an expectation that any representative who

fails to attend a scheduled meeting three times or more shall be replaced by an appointee from the same sector (farmers/institutional stakeholders/community groups).

9. Review

- 9.1 Membership will be reviewed annually by DAP from May 2024 to ensure the correct balance is achieved and to take account of unforeseen issues arising following agreement of the CDEP by BHCC and the SDNPA.
- 9.2 These terms of reference may be reviewed annually and changes will in any event be subject to approval by the Council's Strategy, Finance & City Regeneration Committee.

ORBIS PARTNERSHIP OVERSIGHT BOARD

1. Purpose

- i. To oversee and monitor the delivery of the Orbis Partnership for the benefit of each participating Council, and in particular to:
- ii. 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.
- iii. Provide constructive challenge to ensure Orbis remains fit for the future.

1.1 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.

COMMUNITY SAFETY PARTNERSHIP BOARD

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 Equalities, Community Safety & Human Rights 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 Equalities, Community Safety & Human Rights 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 Equalities, Community Safety & Human Rights Committee from time to time.

BRIGHTON & HOVE CITY COUNCIL HOUSING AREA PANELS

Purpose

Area based Panels consisting of ward councillors, tenants, and leaseholders of the city council to engage and consult tenants on strategic city wide and area-based housing issues and improvements on council land, funded by the Housing Revenue Account (HRA).

Panels will cover the following boundaries:

- East
- West
- Central
- North

Panels will not consider individual tenants' and leaseholders' issues. Tenants and leaseholders will be directed to other appropriate channels.

Panels will not consider individual leaseholders fees and charges related to planned and major works. Leaseholders will be directed to other appropriate channels.

1. Areas of responsibility

- a) To receive and provide comment, feedback and recommended actions on reports relating to the council's role and performance as a housing service.
- b) Issues for consideration will include the performance of housing services provided directly by the council and by contractors.
- c) Non housing issues will be referred to the appropriate council service, other agency, community forum or committee for consideration.
- d) Area Panel(s) may request time limited task and finish groups on persistent and/or key strategic city-wide or area-based issues, subject to available resources and competing priorities.

2. Budgets

- a) An annual Estates Development Budget (EDB) will be devolved to each Area Panel.
- b) There will be at least one specific Area Panel meeting each year for decisions on main EDB bids.
- c) Voting on main EDB bids is by tenants only and consultation of leaseholders where applicable.
- d) All EDB quick bids up to £1000 will be decided upon by the citywide resident EDB panel. This panel is made up of tenant representatives from each area who are elected through the Improvement and Empowerment Service Improvement Group.

3. Membership and participation

Membership and participation of each area panel is open to:

- a) All ward councillors whose constituency falls within the boundaries of the Area Panel.
- b) A representative from any tenants' and residents' association within the boundaries of the Area Panel.
- c) All council housing tenants who live within the boundaries of the Area Panel.
- d) All resident leaseholders of the council that live within the boundaries of the Area Panel.
- e) A Leaseholders Action Group representative that lives within the boundaries of the Area Panel.
- f) All tenants or leaseholders can submit a question to an Area Panel meeting. (See section 7 below for process).

4. Chairing

- a) All Area Panels will be co-chaired by a councillor and a representative of a Tenants and Residents Association.
- b) The councillor co-chair will be a sitting councillor on the council's Housing & New Homes Committee unless no Member of the Panel is a member of the Housing & New Homes Committee.
- c) Area Panel will elect the Councillor Co-Chair annually, consideration will always be given to appointing a co-chair from Housing & New Homes Committee. The election to take place at the first Area Panel after Annual Council.
- d) The resident co-chair will be elected annually by the tenant association representatives.
- e) Co-chairs will chair meetings alternately unless otherwise mutually agreed between the co-chairs.
- f) Co-chairs will set the agenda for each meeting together.

5. Format of meetings

- a) All meetings will be hybrid.
- b) Council's Democratic Services will provide the secretariat for the meetings including but not exclusively the circulation of meeting invitations, agendas and associated papers including meeting any accessibility needs, creating and maintaining action logs and taking minutes of the meeting.
- c) The agenda, minutes and action log will be sent ten working days before the meeting.
- d) The agendas and minutes of the Panel (unless confidential) will be public documents published on the council's website.
- e) Agendas, minutes, and actions of Area Panel meetings will be provided to the co-chairs, all ward councillors, and the nominated representative of all tenants' associations in the area panel boundary.
- f) All reports and papers will be produced in an accessible format.

6. Frequency of meetings

- a) There will be four meetings of each panel per year.
- b) Special Area Panel meetings may be called by the co-chairs, the chair of Housing & New Homes Committee or the Executive Director for Housing, Neighbourhoods and Communities, if needed but only for exceptional and urgent business.
- c) Days and times of meetings will vary to maximise opportunities for participants attendance.

7. Submission of Residents Questions

- a) All tenants and leaseholders can submit a question for an Area Panel meeting providing it is in line with the purpose of an Area Panel.
- b) All submitted questions will be submitted, considered and prioritised at the Resident Only meeting.
- c) Any members of a Tenants and Residents Association or any council tenants and leaseholders can attend the resident only meetings.

8. Agenda Planning

Area Panel meeting agendas will follow a set format including covering the following areas:

- a) Reports on housing policy and performance of Housing.
- b) Reports from city-wide housing management groups, e.g., Senior Housing Action Group.
- c) Residents Questions identified at the Resident Only meetings that precede Area Panel meetings; with a maximum of five 3-Star questions per meeting.
- d) Presentations and reports from other services/groups funded by Housing Revenue Account.

9. Conduct

- a) All participants should share their views respectfully and treat all other participants with respect.
- b) All participants should recognise there are differing views and opinions expressed at the Area Panel and will look for a compromise and shared solutions.

If behaviour is repeatedly not following the above, then individuals may be asked to leave a meeting by the co-chairs.

SHOREHAM HARBOUR REGENERATION PROJECT
September 2011
Memorandum of Understanding

Parties:

Adur District Council
Brighton & Hove City Council
West Sussex County Council
Shoreham Port Authority

1. Introduction

- 1.1 This Memorandum of Understanding (MOU) is made between the Shoreham Harbour Regeneration Project partners: Adur District Council; Brighton & Hove City Council; West Sussex County Council and Shoreham Port Authority. The principles set out in this MOU will be presented to respective Cabinets and the Port Board for adoption.
- 1.2 These undertakings do not include a specific financial commitment by any party.

2. Purpose

2.1 This MOU is intended to:

- provide guidance to elected Members, Port Board Members and senior officers

- ensure the plans and development are
 - (i) progressed in an open manner involving stakeholders
 - (ii) consistent with the policies of all three councils and the Port's Business Plan and
 - (iii) are an accurate reflection of the community's values.
- facilitate collaborative working and open dialogue between all parties to set out principles and objectives and agreed processes for achieving them.
- to clearly outline decision making arrangements

3. Responsibilities

3.1 All parties will:

- promote the aims of the Shoreham Harbour Regeneration Project through joint communication channels
- be open and transparent in mutual dealings with partners.
- ensure a 'no surprises' culture is promoted.
- engage the community in decisions which affect them
- work in partnership to realise development opportunities that accord with joint planning documents (particularly those relating to infrastructure and environmental improvements).

3.2 The councils will:

- utilise relevant planning processes and other regeneration strategies to provide a deliverable framework for action addressing land use, community, environment and associated infrastructure
- use interim and supplementary planning documents if required to support the aims of the project
- ensure the governance structure is reviewed on a regular basis
- provide staff resources to the project
- ensure a Project Plan is put in place to guide the development of the planning framework and implementation through the project's delivery units

3.3 The Port Authority will:

- share information with councils in relation to the implementation and delivery of the
- Shoreham Port Masterplan (subject to commercial confidentiality).
- share information at an early stage in relation to individual site opportunities and major investment.

4. Role of the Shoreham Harbour Joint Leaders Board

4.1 The Board will consist of the Leaders of the three councils, the Chief Executive of Shoreham Port Authority, and a senior officer from each council or in each case their delegated representatives.

4.2 The Port Authority will act as a co-opted member as per the terms of current legislation governing joint committees and will sit on the Board in a non-voting capacity.

4.3 The role of the Joint Leaders Board is to:

- set and approve the strategic direction of the project, agree key strategy documents and approve the scope and outputs of the project
- work together to deliver the agreed vision
- commit ongoing staff time to help deliver the agreed strategy
- ensure that council Members and Shoreham Port Authority Board Members are kept informed of key developments through existing organisational structures
- provide advice to officers on joint funding requests above £50,000 and to oversee the management of the project budget. Joint funding is managed by Adur District Council as the Accountable Body working in partnership with Brighton & Hove City Council and West Sussex County Council. Funding is managed according to the current Scheme of Delegations in place for each local authority.
- manage and advise on strategic risks
- delegate delivery of the project on a month to month basis to the Shoreham Harbour Project Board and its delivery units as per the agreed project structure and through an agreed set of work programmes.