



**Brighton & Hove  
City Council**

**COUNCIL  
ADDENDUM**

**4.30PM, THURSDAY, 19 JULY 2012**

**COUNCIL CHAMBER, BRIGHTON TOWN HALL**



# ADDENDUM

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**WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed for questions submitted by a member of the public who either lives or works in the area of the authority at each ordinary meeting of the Council.

Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion.

The following five written questions have been received from members of the public.

**(a) Mr Tilley**

“With the introduction of bus key cards, bus journey information is electronically stored. An analysis of this journey information would greatly aid the understanding of current and future public transport service usage. It is requested that the Council produce a timetable for publishing monthly individual bus journey data as Open Data?”

**Councillor Davey, Chair of the Transport Committee, will reply.**

**(b) Mr Campbell**

“Is the current Green administration anti business or just inept as a result of their lack of practical commercial experience?”

**Councillor J. Kitcat, Leader of the Council, will reply.**

**(c) Mr Kemble**

“Does the Council recognise the Hackney Carriage Trade as part of the City's integrated transport system”

**Councillor Davey, Chair of the Transport Committee, will reply.**

**(d) Ms Turner**

“Could the Council please tell us what plans they have in mind for a large separate and augmented public art gallery in Brighton and Hove?”

**Councillor Bowden, Chair of the Economic Development & Culture Committee, will reply.**

**(e) Mr Lowe**

“With 70% of monitoring sites in Brighton and Hove recording illegal levels of nitrogen dioxide and the likelihood of the EU issuing a multimillion pound fine next year for breaching safety guidelines will the administration get tough on monitoring perpetual road works thereby insuring that they are completed within the shortest time frame in order to negate such build ups of noxious gases from stationery vehicles caught in the queues?”

**Councillor West Chair of the Environment & Sustainability Committee, will reply.**

**(f) Mr Warmington**

“In answer to a public question to this Council meeting a year ago, the Administration undertook to investigate an all-operator Oyster-style travelcard for public transport in Brighton & Hove. As several developments in the last year have made this all the more desirable, what steps has the Council taken to give this serious consideration?”

**Councillor Davey, Chair of the Transport Committee, will reply.**

**(g) Ms Paynter**

"The Council Tax banding as between Brighton and Hove remains as it was before unification I'm told and residents feel there are huge anomalies which mean banding is very unfair. People downsizing to more modest properties are finding they are in higher council tax bands and having to pay MORE council tax. What powers does BHCC have to correct this situation and make it more fair."

**Councillor J. Kitcat, Leader of the Council, will reply.**

**DEPUTATIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes following which one Member of the Council, nominated by the Mayor, may speak in response. It shall then be moved by the Mayor and voted on without discussion that the deputation be thanked for attending and its subject matter noted.

Notification of three Deputations has been received. The spokesperson is entitled to speak for 5 minutes.

**(A) DEPUTATION CONCERNING THE 'ROUTING OF THE SIGHT SEEING BUS.'****Deputation - To prevent the City Sightseeing Bus being routed through Sussex Square and Lewes Crescent (East)****(Spokesperson) - Mr Christopher Goss**

On 3 March, the City Sightseeing Bus, operated by the Brighton and Hove Bus and Coach Company, was re-routed down the east side of Sussex Square and Lewes Crescent, from Eastern Road down to Marine Parade. The Company obtained a summer 2012 permit for the re-routing from the Office of the Traffic Commissioner from 3 March. The buses run daily at half hourly intervals from 10.35am to 6.35pm, that is 17 journeys per day, from 28 April till 16 September, then with reduced frequency until end September. This deputation is from the residents and requests the Council to take the necessary steps to prevent the bus being routed through Sussex Square/Lewes Crescent once the current permit has expired.

Sussex Square and Lewes Crescent, along with Arundel Terrace and Chichester Terrace, form the Kemp Town Estate, which has a Grade 1 listing. The Estate is a beautiful and cherished part of Brighton and we as residents want to share it with our Brighton community. We believe, however, that riding on a double decker bus, of up to 18 tons fully laden, which is travelling at speed through the Estate is not the way to enjoy, preserve and share its beauty and atmosphere. We believe that the bus is endangering the Estate's inhabitants. Many of the buses run empty or nearly empty, which is not good in terms of fuel use and maintenance, climate change and the environment. Scheduled bus services have never before run through the Estate.

We believe the Estate should be kept as a relaxed pedestrian area which all can share. We very much welcome visitors but believe strongly that the Estate can best be enjoyed on foot. For those unable to explore it on foot, the best way to get a good view of the buildings and gardens in their entirety is from the bus on Marine Parade or Eastern Road. The viewer does not gain much in addition from seeing just a few of the houses up close. We are also concerned that the bus will set a precedent in changing the road from being mostly residential to one with broader commercial use which will be very detrimental to the Estate.

This deputation by the residents has the full support of the Kemp Town Society. We will present to the Council at its meeting on 19 July an accompanying petition from local residents. The Brunswick and Adelaide Residents' Group, (covering Adelaide Crescent, Brunswick Square - which is also Grade 1 listed - and Lansdowne Place), also supports this Deputation. Tour buses passed through Brunswick Square at one time but no longer do so.

We understand that the Council's Conservation Advisory Group (CAG), at their 24 April 2012 meeting, discussed the re-routing of the bus through the Estate and that the Group agreed that it should write to the bus company expressing its concern and that the KTS should raise this concern with its members. We understand that CAG's concerns are similar to those raised in this deputation.

We were also heartened to hear of the strong action taken by the Bath Council in 1998 when the safety and environment of the Royal Crescent in Bath (in particular the historical cobbled roadway) was endangered by sightseeing buses. The Council there arranged a public enquiry which resulted in the closure of one end of the Crescent to prevent through traffic. We also understand that the closure has yielded unexpected benefits to the Crescent from enabling visitors and residents to enjoy a peaceful and relaxed primarily pedestrian environment in the Crescent.

**Councillor West, Chair of the Environment & Sustainability Committee will respond.**



## 1. Safety

We engaged the engineers Hemsley Orrell Partnership to provide an opinion on the safety aspects. A copy of their report has been provided to the Council and its findings are summarized here.

There are communal gardens in the middle of the Estate which all the flats and houses in the Estate own and maintain together. The owners and tenants use the gardens very extensively as their main outdoor living space as few of the flats have their own gardens. There is therefore a continual pedestrian flow across the road where the bus currently runs, of residents from the flats and houses to three garden gates. The first gate is just below the point where the bus turns from Eastern Road into Sussex Square. The second is right on the sharp bend half way down the road. The Appendix to the engineer's report has an aerial view of the Estate and the bus route. It also contains 6 photos, the first four of which are reproduced below and which show the bus rounding the sharp bend; photos 5 and 6 in the report show the bus entering Sussex Square from Eastern road near the top gate.

As shown in photos 1-4 below, the bus has to cross the centre line of the road into the path of oncoming traffic in order to round the sharp bend. This makes it difficult for it to pass oncoming vehicles, which are forced by the bus to go close to the railings, and so also become a danger to pedestrians, especially those entering or leaving the gardens. The road's overall profile is also ill-suited for regular use by large vehicles, because it is relatively narrow and its sides along its entire length have an unusually steep camber, so buses drive near the middle of the road, even away from the sharp bend. There is little warning time for pedestrians when the bus turns off Eastern Road, before it passes the first garden gate.

A large proportion of the pedestrians at risk are children and old people who are used to the road being quiet, with only neighbourhood cars and the occasional delivery vehicle moving along it. They are not prepared for a large bus travelling at speed and this is especially risky for small children, who may be less cautious and whose sight lines may be impeded by the parked cars, and for the elderly whose reaction times are slower. The added care needed to cross the road also reduces the enjoyment of the garden.

## 2. Integrity of the Buildings

Under the Grade 1 listing rules, the residents are required to preserve the buildings and adhere to very strict guidelines regarding the avoidance of harm or change to the structures and their appearance. We believe that this strict avoidance of harm criterion should be applied to avoid any risk of damage to the buildings and the environs from unnecessary vehicle traffic. The road is edged on the garden side by unusual steeply sloping cobble gutters, which are original from when the Estate was built and are probably fragile and at risk from the passage of regular heavy traffic. Cellars are located under the pavement to the front of the houses; in some cases these extend about 1.5 metres under the road itself and some of the cellars have been converted to full residential use. While the consultant engineers consider it would be difficult to establish a definitive connection between regular passage of buses and structural damage to the buildings, why subject the buildings and road to this unnecessary risk?

3. Photographs: Bus at sharp bend at Sussex Square/ Lewes Crescent/ access gate to communal gardens.

**Photo 1:** Bus and cars entering bend in opposite directions at the same time.



**Photo 2:** Bus swings out to avoid parked vehicles. Oncoming cars pull tight to left.



**Photo 3:** Cars pass bus at pedestrian access to communal gardens



**Photo 4:** Bus swings wide into opposite lane at pedestrian access gate.



**(B) DEPUTATION CONCERNING ‘AGE FRIENDLY CITY’.**

**Mr. Bojczuk (Spokesperson)**

“The Older People’s Council, with the support of the city’s major stakeholders working with the elderly – AgeUK Brighton & Hove, Pensioner Action, CSV, CVSF-FED, Carer’s Group and Alzheimers Society – are seeking the support and commitment of Brighton & Hove Council in making an application to the WHO for Brighton & Hove to become a member of the WHO Age Friendly City Network.

The Age Friendly City Network was launched in June 2010 in Geneva with New York as the inaugural city. Since then, 17 cities worldwide have joined the network, with Manchester the only member, so far, from Britain.

Our application will mark the start of a programme designed to build age friendliness and active ageing into Brighton & Hove city policies and so become a city fit for all ages that promotes active ageing and independent living well into old age.

This requires a commitment to undertake a base line age-friendly status study, then to plan for and commit to improvements over the following 3 years. We feel that Brighton & Hove already fulfil many of the required criteria and working to improve age friendliness will tie in with the council’s existing sustainable community plans and friendly neighbourhood strategies.

We propose that the council vote to accept our motion to apply to join the age friendly city network and to work to include age friendly principles into council policies.”

**Councillor Jarrett, Chair of the Adult Care & Health Committee will respond.**

## **(C) DEPUTATION CONCERNING ‘THE CUTS TO BUS SUBSIDIES.’**

### **Ms. Tracey Hill (Spokesperson)**

“When cuts were announced in early June to twelve subsidised bus services affecting large parts of the city, there was a public outcry. Cuts to the 81 and 52 mean no weekday evening service in Goldstone Valley, and no direct service at all from Ovingdean to the city centre. Sunday evening services will be thinned out from September to May, leaving no bus services at all on Elm Grove or Queens Park Road after 6pm on a Sunday for nine months of the year. Two school buses will cease, the 74 and the 96, serving Patcham, Hove Park and Blatchington Mill schools.

A petition in support of the 52 raised over 300 signatures in just a few days, and was presented at the Policy and Resources committee meeting on June 14th. At the same meeting, schoolchildren argued passionately in support of their school buses and amendments were proposed. However, the decision went ahead.

Since then, word has continued to spread. From Fiveways to the race course, from Woodingdean to Hove Park, over 1,600 signatures on the ongoing petition started by Brighton and Hove Labour demonstrates how much people value the city’s bus service. Many can’t understand why the Green Party controlled Council, so keen to get people out of their cars, would want to see the bus service reduced. People have pointed out that not everyone can cycle, and that many cannot drive or afford taxis. The elderly, those with disabilities, and young people are the most affected.

Targeting low usage services as a cost-saving exercise is short term. Those living far from the city centre with no car need a comprehensive bus service. Who would move to Goldstone Valley now without a car, knowing that there are no buses at all on a weekday evening, or Ovingdean, which is no longer linked directly to the city centre? Reducing the service causes a downward spiral, where rising car ownership drives down bus usage even more, making services ever more expensive to run, and at the same time increasing congestion, damaging air quality and enlarging our carbon footprint.

Following the support demonstrated by the petition and in the pages of the Argus, and after a meeting between Labour councillors and Brighton and Hove Bus Company, it now appears that the operator may be willing to reinstate the Sunday evening services, and we understand that there is a possibility that the Council will continue to fund the two school buses.

We welcome this, and thank the Council for responding to public opinion in this positive way. However, we would also like to ask that the funding of the 52 and 81 services be continued, by reconsidering other transport and sustainability budgets. It is difficult to justify spending on projects which may or may not deliver environmental benefits in the longer term, by cutting existing services which are helping people to live sustainably now.

Some have called Brighton and Hove a protest city, and people certainly have a right to voice a protest when services that they contribute to, and on which they rely, are withdrawn. We hope the Council is prepared to listen to the views of the people about their valued bus service, and to reconsider their decision.”

**Councillor J. Kitcat, Leader of the Council will respond.**

**PETITION REPORT****LABOUR & CO-OPERATIVE GROUP AMENDMENT****SUBSIDISED BUS SERVICES**

Add further recommendations at 2.2 to 2.7 as shown in bold italics:

**RECOMMENDATIONS:**

- 2.1 That in view of the decision taken at the Policy & Resources Committee meeting on the 14<sup>th</sup> June, 2012 the petition be noted;
- 2.2 ***That the moves from Brighton & Hove City Council and Brighton & Hove Bus Company to enable the majority of the bus services previously threatened with service reductions to continue running be welcomed;***
- 2.3 ***That officers be requested to seek to identify the necessary funding and maintain discussions with the bus companies with a view to running a direct service connecting Woodingdean and Ovingdean to the city centre and to report back to the Policy & Resources Committee as to how this can be achieved;***
- 2.4 ***That officers be requested to consider including in the new contract for the service 52 (if not already included and subject to legal advice) a requirement for low-floor, wheel-chair accessible buses to be used on this route;***
- 2.5 ***That officers be requested to consider including in the new contract for service 52 (if not already included and subject to legal advice) a requirement that the service 52 is incorporated within the 'Real Time' bus information system or any replacement similar system;***
- 2.6 ***That officers be requested to facilitate discussions between the relevant bus operators to achieve 'through ticketing' agreements to be in place for the new contract for the service 52 so that Ovingdean residents are not further disadvantaged by having to pay two separate fares to access the city centre due to the new, reduced route terminating at Brighton Marina;***
- 2.7 ***That Officers be requested to report to the Policy & Resources Committee on the progress regarding 2.4 to 2.6 above.***

Proposed by: Cllr Robins

Seconded by: Cllr Mitchell



<b>Council</b>	<b>Agenda Item 7(a)</b>
19 July 2012	Brighton & Hove City Council

## PETITION REPORT

### CONSERVATIVE GROUP AMENDMENT

#### SUBSIDISED BUS SERVICES

Add three further recommendations at 2.2 to 2.5 as shown in bold italics:

#### RECOMMENDATIONS:

- 2.1 That in view of the decision taken at the Policy & Resources Committee meeting on the 14<sup>th</sup> June, 2012 the petition be noted;
- 2.2 That the Council welcomes moves from Brighton & Hove City Council and Brighton & Hove Bus Company that enable the 21B, 22, 24, 26, 27, 81A, 81, 74 and 96 bus services to continue running;***
- 2.3 That officers be requested to report to the Policy & Resources Committee at its next meeting confirming the completion of contracts to run the 81, 81A, 21B, 96 and 74 services;***
- 2.4 That, in addition to 2.2 and 2.3, officers be recommended to seek to identify the necessary funding and continue discussions with the bus companies with a view to running a direct service, with through ticketing, connecting Woodingdean and Ovingdean to the city centre and to report back to the Policy & Resources Committee with an Urgency meeting taking place if necessary due to the short timescales;***
- 2.5 That officers be re requested to seek to ensure that any new contract approved for the service 52 contains a requirement (if it doesn't already do so and subject to legal and procurement advice) for wheelchair accessible buses to be used on this route and that it is integrated into the 'Real Time' bus information system or a suitable alternative system and to report back to the Policy & Resources Committee on the outcome of the contract negotiations.***

Proposed by: Cllr G. Theobald

Seconded by: Cllr A. Norman





<b>Council</b>	<b>Agenda Item 7(b)</b>
19 July 2012	Brighton & Hove City Council

## PETITION REPORT

### CONSERVATIVE GROUP AMENDMENT

#### TRAVELLERS SITE AT HORSDEAN

That recommendation 2.1 be amended with the deletion of the wording as struck through and the addition of the wording in bold italics so as to read:

- 2.1 That the petition is referred to the Environment & Sustainability Committee Meeting on the 17<sup>th</sup> October 2012 ~~for consideration~~ ***with a recommendation that any new permanent traveller site should not be located within the South Downs National Park.***

Proposed by: Cllr G. Theobald

Seconded by: Cllr Peltzer Dunn



<b>Council</b>	<b>Agenda Item 7(c)</b>
19 July 2012	Brighton & Hove City Council

## PETITION REPORT

### LABOUR & CO-OPERATIVE GROUP AMENDMENT

#### BOWLS

Amend recommendation 2.1 to reflect the appropriate committee and add two further recommendations at 2.2 and 2.3 as shown in bold italics:

#### Recommendation

- 2.1 That the petition is referred to the ~~Environment & Sustainability~~ ***Economic Development & Culture Committee*** Meeting on the ~~17<sup>th</sup> October, 20<sup>th</sup> September~~, 2012 for consideration;
- 2.2 ***That a report be requested for presentation to the Economic Development & Culture Committee at its meeting on 20<sup>th</sup> September setting out options for the future support to Bowls Clubs for consideration in advance of council budget setting; and***
- 2.3 ***That the Chief Executive be requested to ensure a representative of the city's Bowls Clubs is invited to attend and address the Economic Development & Culture Committee at the meeting on the 20<sup>th</sup> September to set out their key concerns.***

Proposed by: Cllr Farrow

Seconded by: Cllr Fitch



<b>Council</b>	<b>Agenda Item 7(c)</b>
19 July 2012	Brighton & Hove City Council

## PETITION REPORT

### CONSERVATIVE GROUP AMENDMENT

#### BOWLS

Recommendation 2.1 be amended to read as follows with the text struck through being deleted and replaced by the text in bold italics:

#### Recommendation

- 2.1 That the petition is referred to the ~~Environment & Sustainability Committee Meeting on the 17<sup>th</sup> October, 2012 for consideration~~ ***Economic Development & Culture Committee meeting on 20<sup>th</sup> September with the following recommendations;***

Proposed by: Cllr Brown

Seconded by: Cllr Mears



**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions listed on pages 101 - 102 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

**(a) Councillor Pissaridou**

“Can the lead Member for transport confirm the position regarding parking on Bolsover Road Hove?”

Although five years ago the residents opted to stay out of CPZ R, they have de facto been included in it. They have, and are, able to buy parking permits, and visitor permits, and until very recently all maps showed that Zone R included Bolsover Road. Thus the residents have parked on the very wide pavements (3.15m and 2.9m) with the tacit agreement of the Council. Now that the engineer has reported on the construction of the pavement, showing I believe that the foundations do in fact differ from the norm in that the top layer is tarmac, the second layer some sort of thick concrete, and finally the hard core base. (I understand that all this is of car park quality). As the residents have parked their cars on the pavements for some considerable time (15 years at least) without damage to the pavements or their vehicles then it would seem that the underlying construction is sound. Can you therefore now have white lines painted on the pavements to formalize this arrangement? Officers have agreed that because of the width of the pavements there are no obstruction problems.

The alternative proposed would be parking on one side of the road only which would drastically reduce the number of spaces to approx 37. (Residents calculate that a minimum of 60 spaces are needed).

Residents also agree with officers that Bolsover Road should be limited to one-way traffic only and ask that this be put into operation as soon as possible. Bolsover Road residents have now got an active and focused Residents Association and are working together to provide a better community for their children and families and the above changes will go a long way to achieving this aim.”

**Reply from Councillor Davey, Chair of the Transport Committee**

“Bolsover Road is not in the Area R Controlled Parking Zone Traffic Order or included on the list of eligible streets, which is the basis for permit issue, so any permits will have been issued in error.

Neither are there any designated parking bays or signs indicating that Bolsover Road is within the Area R CPZ.

I do not agree with your interpretation of the engineer survey results; the position is that the widened footway is not suitable for parking. The conclusion was that, with the

exception of one small area next to a former vehicle access, the footway is not designed for vehicle overrun.

It is true that tarmac footways do stand up to vehicles driving and parking on them much better than concrete slab ones, but this does not mean they were built for that purpose. Tarmac is just more flexible and withstands a heavy load better.

The key issue is whether the council officially regulates parking on the footway. If we marked out a white line the footways would have to be upgraded and the existing utilities under the footway entrenched further. The cost of this work could be about £80,000 which cannot be justified on a single residential road in the current financial climate.

I see the best solution as re-consulting Bolsover Road on residents parking control and this is being considered as part of the Citywide Parking Review. The request to make Bolsover Road one way can be considered as part of the scheme and, if approved, would be funded as part of its implementation.”

**(b) Councillor G. Theobald**

“As he will be aware, at the Budget Council meeting in February it was agreed to bring forward additional savings of £228k in the Human Resources budget for this financial year. Could the Leader of the Council, therefore, update me on how these savings are progressing and on any wider plans to either share the HR function with other councils/public sector bodies or to commission the service externally?”

**Reply from Councillor J. Kitcat, Leader of the Council.**

“Human Resources are using two approaches to identify additional savings from the service. The first is to continue to improve the performance of the iTrent HR and payroll system and to deliver further areas of transactional activity through manager and staff self-service. The system performance has just been improved by 25% because of migration to a new server.

The second approach is a ‘system thinking’ review, which seeks to streamline processes and procedures to improve efficiency and reduce costs.

Additional savings of £57k are required for this financial year and a further £171K for 2013/14. Work is progressing to allow us to achieve these savings and meet the action plan jointly agreed between the Chair of the Audit Committee and myself.

There are no wider plans at this time to either share the HR function with other councils/public sector bodies or to commission the service externally.”

**(c) Councillor Wells**

“Will the Chair of the Housing Committee please confirm what the average council house rent currently is for each size of property (i.e. number of bedrooms) in the city and the corresponding average private sector rents?”



### **Reply from Councillor Wakefield, Chair of the Housing Committee.**

“The following table shows the average weekly Council (HRA) rents for 2012/13 for different sizes of property and compares these to the average market rents – the source for the market rent data is given below.”

<b>No Bedrooms</b>	<b>Average 2012/13 Council Housing Rent per week £</b>	<b>Market Rents (*) (per week) £</b>
0	59.11	128.34
1	67.74	177.04
2	76.55	252.25
3	89.02	313.28
4	95.37	380.88
5	110.39	data not collected
6	116.29	data not collected

(\*) Source: Housing Strategy Team sample monitoring of Latest Homes magazine 2012 Q2 Apr-Jun)

### **(d) Councillor A. Norman**

“What plans do the administration have to support residents who would like to follow the example set in Bristol where temporary street play closures are set up at the request of residents so that children can play safely together in a closed residential road for a specified time.”

### **Reply from Councillor Davey, Chair of the Transport Committee**

“Thank you for your question.

I have also received questions about this from interested residents. Our Highway team have looked at the trial and Bristol, and believe that we can do something here.

The play streets closures would be similar to resident street parties where we ask for agreement from the people living and working in the street. There are other requirements that residents must observe, for safety and access reasons. So we could not allow this on main thoroughfares or bus routes. Access for residents and businesses would also have to be maintained, and residents would need to have adequate signage to warn drivers of the closure.

There are some more details we need to work out but we should be able to do this quite quickly. We will also be presenting a policy to Transport Committee in November on all our different types of events that take place on the highway and can include Play Streets in this.

The team would need to assess and advise on each request. Please bear in mind that it is a very tiny team, and so it will take time to look at each application.”

**(e) Councillor Brown**

“Will the Chair of the Economic Development & Culture Committee please inform me when the cross-party working group to look at the future of the King Alfred Leisure Centre site will start meeting?”

**Reply from Councillor Bowden, Chair of the Economic Development & Culture Committee.**

“A proposal will be brought to the September Economic Development & Culture Committee meeting to establish this important working party as soon after that as possible. I have discussed the membership make up with leaders of the Conservative and Labour & Cooperative parties and agreed with them their representatives which will be made public in the September meeting.”

**(f) Councillor Morgan**

“Can the Chair of the Transport Committee give figures comparing revenue from pay and display parking on Madeira Drive and King’s Road between the start of April and the start of July 2012 with the equivalent period in 2011?”

**Reply from Councillor Davey, Chair of the Transport Committee.**

“In 2011, during the months of April, May and June, revenue from Pay & Display parking on Madeira Drive and Kings Road totalled £200,905.

During the same months in 2012, revenue from Pay & Display parking in the same areas totalled £309,823.

It is also worth noting that despite the fact that it rained on 47 days during the same period in 2011 compared to 27 days of rain in 2012, visitor numbers to attractions such as the Royal Pavilion, Preston Manor and the city’s museums are up by more than 5% compared to last year.”

**Council**19<sup>th</sup> July 2012**Agenda Item 11(A)**

Brighton &amp; Hove City Council

**Subject:** **Audit Committee Annual Report 2011/12 - Extract from the Proceedings of the Audit & Standards Committee Meeting held on the 26 June 2012**

**Date of Meeting:** **19 July 2012**

**Report of:** **Strategic Director; Resources**

**Contact Officer:** Name: **Ross Keatley** Tel: **29-1064**

E-mail: [ross.keatley@brighton-hove.gov.uk](mailto:ross.keatley@brighton-hove.gov.uk)

**Wards Affected:** All

**FOR GENERAL RELEASE****AUDIT & STANDARDS COMMITTEE****4.00 pm 26 June 2012****COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillors Hamilton, Janio, Norman, Duncan, Follett, Lepper, Smith and Sykes. Mr Wilkinson, Mr Cecil, Mr Rose, Mr Bustard and Mr Rhodes.

**PART ONE****15. AUDIT COMMITTEE ANNUAL REPORT 2011/12**

15.1 The Committee considered a report of the Director of Finance in relation to the Audit Committee Annual Report 2011/12; the report outlined the performance and achievements of the Audit Committee in 2011/12.

15.2 **RESOLVED** - That the Committee:

- (1) That the draft report at Appendix 1 be agreed; and
- (2) That the report be referred to Full Council for approval.



**Subject:** **Audit Committee Annual Report 2011/12**  
**Date of Meeting:** 19<sup>th</sup> July 2012  
26<sup>th</sup> June 2012  
**Report of:** **Director of Finance**  
**Contact Officer:: Name:** **Ian Withers, Head of Audit & Business Risk** **Tel 29-1323**  
E-mail: [ian.withers@brighton-hove.gov.uk](mailto:ian.withers@brighton-hove.gov.uk)  
**Wards Affected:** All

## **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This draft report attached at Appendix 1 provides a summary of the Audit Committee's performance and achievements during 2011/12. It has been prepared on behalf of the Audit Committee members.
- 1.2 The preparation of an annual report is recognised as best practice for Audit Committees in providing assurance over its role by the Chartered Institute of Public Finance and Accountancy (CIPFA).

## **2. RECOMMENDATIONS:**

It is recommended that the Audit & Standards Committee:

- 2.1 Considers the draft report at Appendix 1 and makes any amendments and additions it deems necessary.
- 2.2 Refer the report (incorporating any amendments and additions) to Full Council for approval.

## **3. BACKGROUND**

- 3.1 The Audit Committee (the Committee) was established in May 2008, replacing the previous Audit Panel. Its purpose for the 2011/12 municipal year is contained in the Terms of Reference Appendix A to the Annual Report.
- 3.2 Effective from the start of the 2012/13 municipal year, the Audit Committee has merged with the Standards Committee.
- 3.3 Whilst there is no statutory requirement for a local authority to establish an Audit Committee it is implied by the Accounts and Audit (England)

Regulations 2011 and recognised across both the private and public sectors as a key component of corporate governance.

3.4 The key benefits of an effective Audit Committee are:

- Raising greater awareness of the effectiveness and continued development of the council's governance arrangements;
- Increasing public confidence in the objectivity and fairness of financial and other reporting; and
- Reinforcing the importance and independence of internal and external audit.

#### **4. FINANCIAL & OTHER IMPLICATIONS:**

4.1 Financial Implications:

The Audit & Standards Committee is an essential element of good financial governance, the costs its work programme including officer support and training is met from existing budgetary provision.

Anne Silley  
Head of Business Engagement  
Financial Services

14<sup>th</sup> June 2012

4.2 Legal Implications:

The report is made under the Committee's power to consider and make recommendations to Full Council on matters relating to or affecting the Committee's functions.

Oliver Dixon  
Acting Senior Lawyer

14<sup>th</sup> June 2012

4.3 Equalities Implications:

There are no equalities implications arising.

4.4 Sustainability Implications:

There are no sustainability implications arising.

4.5 Crime & Disorder Implications:

There are no crime and disorder implications arising.

4.6 Risk and Opportunity Management Implications:

There are no direct risk and opportunity management implications arising.

#### 4.7 Corporate / Citywide Implications:

Robust corporate governance arrangements are essential to the sound management of the City Council and the achievement of its objectives as set out in the Corporate Plan.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Audit Committee Annual Report 2011/12

#### **Background Documents**

1. Reports to the Audit Committee May 2011 – April 2012







# AUDIT COMMITTEE

## ANNUAL REPORT 2011/12 (Draft)

Councillor L. Hamilton, Chairman

## Forward by the Chairman of the Audit Committee



This is my fourth year as Chair and I am pleased to present the Audit Committee's Annual Report for the 2011/12 municipal year. The report shows how the Audit Committee has successfully achieved its objectives contained in its terms of reference, developed its role and continued to make a positive contribution in challenging times for the Council, to its governance and control environment.

The next few years will continue to be significant in terms of financial pressures on our services. How we therefore use the resources available will become even more important and how we risk manage our priorities, partnerships and services will be crucial. We will need to ensure a robust governance and control framework and be increasingly vigilant to the risk of fraud.

The Audit Committee has now merged with the Standards Committee and I believe it will continue to make a positive contribution.

I would like to take the opportunity to thank both the committee members and the officers that support the committee's work.

I would also like to thank the Audit Commission for their support and regular attendance at meetings.

During the year officers have presented professional reports, taking on board comments, suggestions and ensuring improvements have been made.

I have enjoyed leading the committee and working with officers to further enhance the Council's governance arrangements.

From 2011/12, the Audit and Standards Committee will be merging and I am looking forward to the change and continued effectiveness of its role.

## Introduction

1. The Audit Committee (the Committee), is now in its fifth municipal year, succeeding the Audit Panel. The Committee's activities during 2011/12 built on the positive contribution from previous years to the improvement of governance arrangements across the Council.
2. The Committee's role is principally to underpin the Council's governance processes by providing independent challenge and assurance of the adequacy of risk management, internal control (including Internal Audit External audit and counter fraud) and financial reporting frameworks
3. A copy of the Committee's Terms of Reference for 2011/12 municipal year is shown at Appendix A.
4. This is the third annual report from the Council's Audit Committee. It is produced in accordance with latest best practice<sup>1</sup> and details the work and outcomes of the Committee in 2011/12 and that the Council is committed to working as an exemplar organisation, operating to the highest standards of governance.

## Audit Committee Work Programme and Members

5. During the 2011/12 municipal year there were 5 meetings of the Committee. All had full agendas and in total considered 40 written reports, received 2 presentations and 1 verbal update.
6. The rolling and flexible work programme covers the Committee's main areas of activity which is continually reviewed and amended to reflect changes in policies, priorities and risks. A summary of the work programme is shown at Appendix B.
7. The Committee consists of 10 Members and detailed for 2011/12 in Table 1 below. Nominated substitutes attended meetings as required.

**Table 1: Members of the Audit Committee 2011/12**

Member	Role
Councillor Les Hamilton	Chair
Councillor Matt Follet	Deputy Chair
Councillor Ron Jarratt	Member
Councillor Gill Mitchell	Member
Councillor Ann Norman	Member
Councillor Anne Pissaridou	Member
Councillor David Smith	Member
Councillor Ollie Sykes	Member
Councillor Liz Wakefield	Member

<sup>1</sup> Best practice as contained in the CIPFA Publication, "A Toolkit for Local Authority Audit Committees"

8. A rolling and flexible work programme has been agreed for the Committee's main areas of activities

## **Training & Development**

9. In order to be effective, it is recognised that members of the Committee should have a clear understanding of their role, internal control and governance issues, internal and external audit, risk and opportunity management and how the arrangements in place across the council operate.
10. In June and September there were two specific training sessions for Members on the role and functions of the Audit Committee. For September this also included Members role in relation to the approval of the Statement of Accounts. Other training was integrated into committee meetings such as fraud update.

## **Core Activities 2011/12**

11. The Committee's terms of reference contains a number of functional responsibilities and these have been interpreted into seven core activity areas. The Committee's work and outcomes in each of these areas are summarised in the following sub sections:

### **Internal Audit**

12. Internal Audit is a key source of assurance for both officers and Members on the effectiveness of the control environment and governance. The Committee has responsibility for ensuring that Internal Audit is effective in the provision of that assurance.

During the year the Committee has:

- Approved the Internal Audit Strategy and Annual Plan for 2011/12;
- Considered regular Internal Audit Progress Reports from the Head of Audit & Business Risk highlighting audit work completed in particular audit reviews, internal audit performance against key indicators and any significant issues;
- Considered the Head of Audit & Business Risk's Annual Report and Opinion on the council's governance and internal control environment;
- Considered the statutory review of the effectiveness of the system of internal audit;
- Ensured the internal audit and external audit plans were complementary and provided optimum use of the total audit resource;
- Ensured Internal Audit is effective in the provision of key assurance on an ongoing basis; and
- Continue to provide support to the Internal Audit service to ensure management is responsive to recommendations made and agreed.

## **External Audit**

13. External Audit which is currently provided by the Audit Commission is an essential part of the process of accountability of public funds, providing an independent opinion on the financial statements as well as arrangements for securing value for money across the council.
14. The Department of Communities and Local Government issued a consultation paper at the beginning of 2011/12 entitled "The Future of Local Public Audit". The Committee has been kept informed of the consultation outcome and award of the contract to Ernst & Young.
15. During the year the Committee:
  - Considered the Audit Commission's Annual Audit Plan;
  - Considered progress reports against the plan;
  - Considered Fees Letters;
  - Received and considered the Annual Governance Report ;
  - Receive and considered Annual Audit Letter for 2010/11; and
  - Considered individual reports from reviews carried out including Housing Repairs and Maintenance Contract.

## **Risk and Opportunity Management**

16. During the year Committee:
  - Received and considered the Strategic Risk Register updates;
  - Considered the outcomes of the Risk Management Programme;
  - Received the Annual Risk Management Report; and
  - Received and considered individual risk maps on strategic risks, in particular on emerging risks and areas of concern (for example financial outlook).

## **Internal Control and Governance**

17. A pivotal role of the Committee is its work in developing the council's internal control and assurance processes.
18. During the year the Committee:
  - Considered and agreed the council's Annual Governance Statement a key document which summarises the council's governance arrangements and the effectiveness of these during the year;
  - Received updates on actions for improvements from the Annual Governance Statement;
  - Received reports and sought assurance on effective actions to address, control weaknesses in the Council's HR/Payroll and Income Collection systems;

- Was requested and provided a letter to the District Auditor on providing assurance from those charged with governance;
- Together with officers, undertook review of the effectiveness of the Audit Committee utilising best practice from the Chartered Institute of Public Finance (CIPFA) and the National Audit Office (NAO)
- Continued to raise the profile of internal control and governance across the council and of the need to ensure audit recommendations for improvement are implemented.

### **Counter Fraud**

19. Countering fraud and corruption is the responsibility of every Member and officer of the Council.
20. During the year the Committee:
  - Was kept informed of the number and nature of fraud investigations, significant cases, recovered losses etc;
  - Considered the outcome of counter fraud activity as part of the Head of Audit & Business Risk's Annual Report;
  - Monitored and supported the actions of officers in particular those by Audit & Business Risk to counter fraud;
  - Were made aware of national emerging fraud and corruption issues that could impact on the council for example housing tenancy fraud;
  - Were made aware of the outcome from the National Fraud Initiative (NFI);
  - Received the Councils' updated Counter Fraud Strategy, recommending its approval by the Policy & Resources committee; and
  - Made aware of national developments in counter fraud, the most significant being the release of the Local Government Fraud Strategy, "Fighting Fraud Locally " and will continue to be made aware of actions to address.

### **Financial**

21. During the year the Committee:
  - Considered and approved the Annual Statement of Accounts, asking a number of questions on the content;
  - Considered the external auditor's report on the accounts and Council's responses to comments; and
  - Received periodic reports for information, on the Council's budget performance (TBM) asked questions and helped to inform the approval of end of year Statement of Accounts.

### **Other Activities**

22. During the year the Committee:

- Considered reports on Treasury Management Policy Update and Annual Investment Strategy, providing an independent scrutiny role.

## Looking Forward

23. The Audit Committee has now integrated with the Standards Committee and will continue to develop its role and build on current status. For 2012/13 it will:

- Continue to review all governance arrangements to ensure they are robust with focus on change and the challenges facing the Council;
- To effectively integrate the functions of Audit and Standards Committee including ensuring Members receive appropriate training;
- Implementing changes to the National Standards Regime from July 2012;
- Ensure the effectiveness of the Council's response to existing and key risks emerging including resulting from financial pressures and transformation;
- Continue to support the work of Internal and External Audit and ensure appropriate management actions to recommendations made;
- Ensure the Council maintains and further improves the standards in relation to the production of accounts;
- Ensure the Council continues to manage the risk of fraud and corruption, in particular by taking further proactive measures for example awareness training;
- Equip existing and new Members to fulfil responsibilities by providing training, briefings and good practice guidance;
- Respond to changes imposed by legislation and from best practice on the structure and activities of the Audit & Standards Committee to ensure its continued effective role;
- To keep abreast of developments and respond as required to changes in the Public Audit Agenda.

## **Audit Committee Terms of Reference (Agreed by Council in April 2008)**

### **Explanatory Note**

The Audit Committee oversees the Council's arrangements for the discharge of its functions in connection with finance, risk management and audit arrangements. It makes recommendations to the Council, the Cabinet, officers or other relevant body within the Council.

### **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 exposure to risk and weakness in the control environment with a view to :

- Providing independent assurance of the adequacy of the risk management and associated control environment;
- Providing assurance on the adequacy of the Council's audit arrangements ;
- Securing robust performance and risk management arrangements; and
- Making recommendations to the Cabinet, Council or Directors as appropriate
- To consider the Council's risk management arrangements and make recommendations to the Cabinet, Council or its Committees.

(Source: B&HCC Constitution)



## Appendix B

### Summary of the Audit Committee Work Programme 2011/12

Meeting Date	Report	Area
<b>28<sup>th</sup> June 2011</b>	Audit Commission Progress Report and Update 2010/11	External Audit
	Unaudited Statement of Accounts 2010/11	Financial Management
	Draft Annual Governance Statement 2010/11	Internal Control and Governance
	Review of the Effectiveness of Internal Audit	Internal Audit
	Targeted Budget Management Provisional Out Turn 2010/11	Financial Management
	Risk Management Update: The Risk and Performance Management Framework	Risk Management
Part 2	Strategic Risk Management Actions Plans focus	Risk Management
<b>27<sup>th</sup> September 2011</b>	Audit Commission: Annual Governance Report 2010/11	External Audit
	2010/11 Statement of Accounts	Financial Management
	Audit Commission: Changes to the local audit regime	External Audit
	Targeted Budget Management (TBM) Month 4	Financial Management
	Risk & Opportunity Management (ROM) Annual Report 2010/11 and Risk Management Programme 2011/12	Risk Management
	Internal Audit Progress Report and Internal Audit Plan 2011/12 Update	Internal Audit
	The Bribery Act 2010	Internal Control and Governance
Part 2	Strategic Risk Management Actions Plans focus	Risk Management
	Investigation into Hove Town Hall Income Losses	Internal Control and Governance
<b>20<sup>th</sup> December 2011</b>	Treasury Management Policy Statement 2011/12 (including Annual Investment Strategy 2011/12)	Other Activities
	Targeted Budget Management (TBM) Month 7	Financial Management
	Audit Commission: Progress Report 2011/12 and Briefing	External Audit
	Audit Commission: Annual Audit Letter 2010/11	External Audit
	2010/11 Assurances from the Audit Committee as the body charged with governance	
	Internal Audit Progress Report 2011/12	Internal Audit
	Annual Governance Statement 2010/11 Action Plan Update	External Audit
	Strategic Risk Register	Risk Management
	Review of the Effectiveness of the Audit Committee	Internal Control and Governance
Part 2	Strategic Risk Management Actions Plans focus	Risk Management
<b>21<sup>st</sup> February 2012</b>	Targeted Budget Management (TBM) Month 9	Financial Management
	Review of the Effectiveness of the Audit Committee	Internal Control and Governance
	Audit Commission: Progress Report 2011/12	External Audit

Meeting Date	Report	Area
	Audit Commission: 2010/11 Certification of Claims and Returns – Annual Report	External Audit
	Internal Audit Progress Report 2011/12	Internal Audit
	Risk Management Strategy 2012	Risk Management
	Current Fraud Risks and Brighton & Hove City Council Counter Fraud Programme (Verbal)	Fraud
Part 2	Strategic Risk Management Actions Plans focus	Risk Management
	Internal Audit Review of Payroll	Internal Audit
<b>24<sup>th</sup> April 2011</b>	Audit Commission: Progress Report 2011/12	External Audit
	Audit Commission: Opinion Audit Plan 2011/12	External Audit
	Assurances from the Audit Committee as the body charged with governance 2011/12	External Audit
	Internal Audit Strategy & Annual Audit Plan 2012/13	Internal Audit
	Counter Fraud Strategy Update	Fraud
	2011/12 Statements of Accounts Preparation	Financial Management
Part 2	Payroll Update (Verbal)	Internal Control and Governance
	Strategic Risk Management Actions Plans focus	Risk Management

DRAFT

<b>Subject:</b>	<b>Treasury Management Policy Statement (Incorporating the Annual Investment Strategy) 2011/12 End of Year Review – Extract from the proceedings of the Policy &amp; Resources Committee Meeting held on the 12<sup>th</sup> July 2012.</b>		
<b>Date of Meeting:</b>	<b>19 July 2012</b>		
<b>Report of:</b>	<b>Strategic Director; Resources</b>		
<b>Contact Officer:</b>	<b>Name: Mark Wall</b>	<b>Tel: 29-1006</b>	
	<b>E-mail: mark.wall@brighton-hove.gov.uk</b>		
<b>Wards Affected:</b>	<b>All</b>		

**POLICY & RESOURCES COMMITTEE****4.00 pm 12 July 2012****COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Hamilton, Mitchell, A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson), Wakefield and West.

**Other Members present:**

**PART ONE****26. TREASURY MANAGEMENT POLICY STATEMENT (INCORPORATING THE ANNUAL INVESTMENT STRATEGY) 2011/12 - END OF YEAR REVIEW**

- 26.1 The Director of Finance introduced the report and noted that there were three key issues in relation to the report concerning the end of year review for 2011/12, alternative investment options and the investment strategy which would be reported to full council for approval.
- 26.2 Councillor Littman welcomed the report and stated that he wished to thank the officers concerned for such a comprehensive report and their work during such uncertain times for financial institutions.

- 26.3 Councillor Ann Norman also welcomed the report and noted that officers provided an excellent service and managed the council's finances to a high standard, noting that they had withdrawn funds from Icelandic banks just prior to the crash. She also noted the ethical investments and welcomed the fact that the council was still investing in Barclays.
- 26.4 Councillor Mitchell stated that she wished to thank the officers for their work and for the report and noted that as it was going to full council the Labour & Co-operative Members would be abstaining from the vote at the present meeting.
- 26.5 The Chair noted the comments and put the recommendations to the vote.
- 26.6 **RESOLVED:**
- (1) That the action taken during the second half year to meet the treasury management policy statement and practices (including the annual investment strategy) be endorsed;
  - (2) That it be noted that the maximum indicator for risk agreed at 0.05% has not been exceeded;
  - (3) That it be noted the authorised limit and operational boundary set by the Council has not been exceeded;
  - (4) That the change in the Annual Investment Strategy 2012-13 as set out in paragraph 4.11 of the report be agreed and recommended to full Council on 19<sup>th</sup> July 2012 for approval.

**Council**

19 July 2012

**Agenda Item 14**

Brighton &amp; Hove City Council

**Subject:** Annual Performance Update of the Council's Corporate Plan – Extract from the proceedings of the Policy & Resources Committee Meeting held on the 12<sup>th</sup> July 2012.

**Date of Meeting:** 19 July 2012

**Report of:** Strategic Director; Resources

**Contact Officer:** Name: **Mark Wall** Tel: **29-1006**  
E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**POLICY & RESOURCES COMMITTEE**

4.00 pm 12 July 2012

**COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Hamilton, Mitchell, A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson), Wakefield and West.

**Other Members present:**

**PART ONE****28. ANNUAL PERFORMANCE UPDATE OF THE COUNCIL'S CORPORATE PLAN 2011/12****28.1 RESOLVED:**

- (1) That the progress made against the performance measures ('Measures of Success') in the Corporate Plan, set out in Appendix 1 to the report be noted; and
- (2) That the annual performance report be referred to Full Council for approval, along with the June 2012 update report on Corporate Plan commitments.



**Council**

19 July 2012

**Agenda Item 15**

Brighton &amp; Hove City Council

**Subject:** City Performance Plan 2011/12 Report – Extract from the proceedings of the Policy & Resources Committee Meeting held on the 12<sup>th</sup> July 2012.

**Date of Meeting:** 19 July 2012

**Report of:** Strategic Director; Resources

**Contact Officer:** Name: Mark Wall Tel: 29-1006

E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**POLICY & RESOURCES COMMITTEE**

4.00 pm 12 July 2012

**COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Hamilton, Mitchell, A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson), Wakefield and West.

**Other Members present:**

**PART ONE****29. CITY PERFORMANCE PLAN 2011/12 REPORT****29.1 RESOLVED:**

- (1) That the areas of good progress made in the City Performance Plan (CPP) progress report in Appendix 2 and the Performance Indicators Headline report Appendix 1 be noted;
- (2) That the future activity, but also barriers outlined in the CPP report Appendix 2 in areas of concern be noted;
- (3) That the Strategic Leadership Team be requested to use the resources at their disposal, including officers in the local authority and thematic partnerships to maintain progress and tackle issues of concern highlighted in the CPP; and
- (4) That the plan be recommended to full Council for Approval.





**Subject:** **Changing the Age Range in Three Primary Phase Schools in Portslade – Final Decision – Extract from the proceedings of the Policy & Resources Committee Meeting held on the 12<sup>th</sup> July 2012.**

**Date of Meeting:** **19 July 2012**

**Report of:** **Strategic Director; Resources**

**Contact Officer:** Name: **Mark Wall** Tel: **29-1006**  
E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**POLICY & RESOURCES COMMITTEE**

4.00 pm 12 July 2012

**COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Hamilton, Mitchell, A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson), Wakefield and West.

**Other Members present:**

**PART ONE****30. CHANGING THE AGE RANGE OF THREE PRIMARY PHASE SCHOOLS IN PORTSLADE – FINAL DECISION**

- 30.1 The Strategic Director; People introduced the report which detailed the proposed expansion of school places in three schools in Portslade which would enable the creation of all-through primary schools. There had been an extensive consultation process and no objections had been received and it was therefore proposed, subject to full council approval, to implement the changes in September 2013.
- 30.2 The Chair welcomed the report and stated that he wished to thank the officers concerned for all their work in bringing this matter to fruition.
- 30.3 Councillor Shanks echoed the Chair's comments and stated that she was aware that both schools and parents welcomed the changes.

30.4 Councillor Hamilton stated that as a Ward Councillor he was very pleased with the outcome and believed it was the right way forward for the schools in Portslade.

30.5 **RESOLVED:**

(1) That the decision to proceed with each of the three proposals be endorsed; and

(2) That the Council at its meeting on the 19<sup>th</sup> July 2012 be recommended to confirm the statutory notices and resolve to change the age range to allow for an additional junior form of entry and expand the premises of St Peter's Community Infant School, Portslade Infant School and St Nicolas Voluntary Aided Church of England Junior School from September 2013.

**Subject:** Standards Update - Extract from the Proceedings of the Audit & Standards Committee Meeting held on the 26 June 2012

**Date of Meeting:** 19 July 2012

**Report of:** Strategic Director; Resources

**Contact Officer:** Name: Ross Keatley Tel: 29-1064

E-mail: ross.keatley@brighton-hove.gov.uk

**Wards Affected:** All

## FOR GENERAL RELEASE

### AUDIT & STANDARDS COMMITTEE

4.00 pm 26 June 2012

### COUNCIL CHAMBER, HOVE TOWN HALL

### DRAFT MINUTES

**Present:** Councillors Hamilton, Janio, Norman, Duncan, Follett, Lepper, Smith and Sykes. Mr Wilkinson, Mr Cecil, Mr Rose, Mr Bustard and Mr Rhodes.

### PART ONE

#### 10. STANDARDS UPDATE

- 10.1 The Committee considered a report of the Monitoring Officer with an update on the changes to the regulation of standards of conduct for elected Members which would come into force on 1 July 2012. The report contained the requirements of the new regime; the work of the Cross Party Working Group on Standards and it proposed a new code of conduct for Members and a new complaints procedure based on the requirements of the Localism Act and the new regulations.
- 10.2 Councillor Duncan stated his concern that the proposals should not be disproportionate considering the limited sanctions the regime would be able to impose. He asked about the short period between when the regulations would come into force, and when the new regime could be approved at the Council meeting on 19 July 2012. In response the Acting Assistant Head of Law explained that there were transitional provisions in place to cover this.
- 10.3 In response to a series of queries from Councillor Follett it was explained that: the proposed new regime only required the independent person to be consulted at the first

stage of the complaint; the Council had included a self-imposed target of 3 months to deal with all complaints, and Officers had not considered it proportionate to call a Special Council meeting before 19 July 2012 to agree the new proposals. It was also highlighted that the Monitoring Officer would be contacting all Members to inform them of the new proposals regarding declaration of Members' interests, if agreed by the Committee, in the next few days.

- 10.4 The Committee discussed the dismissal of complaints at the first stage by the Monitoring Officer, and it was explained that the Monitoring Officer would only dismiss complaints at the first stage when they were: of a clearly vexatious nature; would not be in the public interest (for example would constitute an inefficient use of Council resources) or where, even if upheld, the complaint would not constitute a breach of the Code.
- 10.5 In discussion about Members withdrawing from a meeting it was suggested that an amendment could be made to Standing Orders to request a Member to withdraw from a meeting when they had a disclosable pecuniary interest. Members agreed to this addition. It was also noted that withdrawal from a meeting would include any public area or gallery. The Committee then went on to discuss disclosable non-pecuniary interests, and the Monitoring Officer highlighted the requirement to withdraw did not apply to this area; instead it would be at the discretion of Members, and it was felt that this qualification would make the code proportionate in relation to non-pecuniary interests. Councillor Lepper noted that it was important Members considered how these matters could potentially be viewed by the public; the Monitoring Officer went on to assure Members that full training would be given.
- 10.6 **RESOLVED** - That the Committee:
- a) Recommends to Council the adoption of the new Code of Conduct for Members as set out at Appendix One with effect from the 20<sup>th</sup> July 2012;
  - b) Recommends to Council the adoption of a simplified Complaints Procedure as set out at Appendix Three to the report with effect from the 20<sup>th</sup> July 2012;
  - c) Instructs the Monitoring Officer to advertise a vacancy for the appointment of two Independent Persons in accordance with statutory requirements and to convene an appointment Panel of Members in accordance with the proposals in paragraphs 3.20 and 3.21 of the report;
  - d) Instructs the Monitoring Officer to put in place arrangements for training for Members on the new Code and arrangements for the register of Members' interests;
  - e) Instructs the Monitoring Officer to consult with the Parish Council and to report to the next meeting of the Audit & Standards Committee with details of the Code of Conduct to be adopted by the Parish Council and the arrangements for the register of Parish Council interests.
  - f) Recommends to Council that Standing Orders be amended with effect from 20<sup>th</sup> July 2012, to require Members with a Disclosable Pecuniary Interest to withdraw from the meeting.

**Council**

19 July 2012

**Agenda Item 19**

Brighton &amp; Hove City Council

**Subject:** Appointment of Acting Chief Executive – Extract from the proceedings of the Policy & Resources Committee Meeting held on the 12<sup>th</sup> July 2012.

**Date of Meeting:** 19 July 2012

**Report of:** Strategic Director; Resources

**Contact Officer:** Name: Mark Wall Tel: 29-1006

E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**POLICY & RESOURCES COMMITTEE****4.00 pm 12 July 2012****COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Hamilton, Mitchell, A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson), Wakefield and West.

**Other Members present:**

**PART ONE****45. APPOINTMENT OF CHIEF EXECUTIVE - EXEMPT CATEGORY 1**

- 45.1 The Recruitment Strategy & Delivery Manager introduced the report and stated that the Member Panel had met and recommended the appointment of the current Director of Finance, Catherine Vaughan as the Acting Chief Executive & Head of Paid Service. The appointment would need to be ratified by full council and would be effective from the day after the existing Chief Executive's contract ceased.
- 45.2 The Committee noted the Panel's recommendation and that the current Chief Executive was due finish on the 7<sup>th</sup> September, and that during August usual holiday cover arrangements would be in place.

**45.3 RESOLVED:**

- (1) That the appointment of Catherine Vaughan, to be the Acting Chief Executive and Head of Paid Service for the Council pending the appointment of a permanent Chief executive be approved;
- (2) That the appointment be on a salary of £140,000 per annum and that the appointment takes effect from date of the termination of contract of employment of the current Chief Executive.

Document is Restricted





Council Meeting 19 July 2012-07-18

Appointment of Acting Chief Executive:

**Catherine Vaughan biography:**

Catherine joined Brighton & Hove City Council in September 2001 from the global accountancy firm Pricewaterhouse Coopers (PwC). She qualified as a CIPFA accountant in PwC's public services team, specialising in providing audit and advisory services in local government, housing and charity sectors. Key clients included Thurrock Council, Corporation of London, Peabody trust and Notting Hill Carnival.

She started her time at Brighton & Hove as the Assistant Director (Resources) in the Environment & Housing Department and quickly moved to become Assistant Director Financial Services and Deputy Chief Finance Officer. She became the Council's Chief Finance Officer and a Director in June 2004 and has held responsibility at various times for a range of resource functions including ICT, Property and Customer Services. During her time at Brighton & Hove she has been closely involved in a wide range of partnerships including the establishment of groundbreaking joint working arrangements between social care and health, the creation of the housing local delivery vehicle and the implementation of the integrated waste management services contract with East Sussex County Council.

In her current role as Director of Finance she leads the Council's Value for Money Programme, sponsors joint working on ICT across the South East 7 Group of local authorities and has recently secured a long-term contract for the council to provide financial services to the newly established South Downs National Park Authority.



<b>Council</b>	<b>Agenda Item 20(a)</b>
19 July 2012	Brighton & Hove City Council

**NOTICE OF MOTION**

**GREEN GROUP AMENDMENT**

**EQUAL MARRIAGE**

To insert the wording as shown in bold italics in paragraph 1 and points 2 and 4 below:

“This Council notes the current national consultation on allowing same sex marriage between couples in England and Wales, ***and the cross-party letter sent to the Government in response.***”

This Council also notes the considerable social and economic benefit to the city resulting from the Civil Partnership Act 2004, with Brighton and Hove being the most popular place in the UK for civil partnership ceremonies.

This Council believes that same sex couples should now have equal marriage rights under law, and calls upon the Government to:

1. Change the law to allow same-sex couples to get married.
2. Allow religious bodies to conduct same-sex marriages ***where they choose to do so.***
3. End the requirement that transgender people divorce before attaining Gender Recognition.
4. ***Retain civil partnerships and*** enable mixed-sex couples to register a civil partnership.”

Proposed by: Cllr Powell

Seconded by: Cllr Jones

Supported by: Cllrs Bowden, Buckley, Davey, Deane, Duncan, Follett, Hawtree, Jarrett, Kennedy, A Kitcat, J Kitcat, Littman, Mac Cafferty, Phillips, Rufus, Shanks, Sykes, Wakefield and West.



<b>Council</b>	<b>Agenda Item 20(b)</b>
19 July 2012	Brighton & Hove City Council

## NOTICE OF MOTION

### GREEN GROUP AMENDMENT

#### SUPPORTING BRIGHTON & HOVE'S BOWLS CLUBS

To insert a new paragraph 2, additional wording in paragraphs 3 and 4 as shown in bold italics and the deletion of the wording as struck through.

“This Council recognises that the sport of bowls is enjoyed by many residents of Brighton & Hove, particularly older residents for whom it is an important way of keeping physically and mentally fit and of maintaining social interaction in later life.

***This council also notes the above-average cut in government funding to this council, and the government's proposals for continued reductions in funding to councils until at least 2015. Therefore this council feels that it may be in the best interest for bowls clubs to seek a more sustainable future away from this government's austerity drive.***

Therefore, this Council notes ~~with concern proposals by the Administration~~ ***proposals set out at Budget Council in February*** to reduce the budget for ***current £160,000 subsidy towards*** the maintenance of bowling greens and other costs associated with running the city's 14 bowls clubs by 60%, or £94,000, in 2013/14. A reduction in funding on this scale will make it ~~virtually impossible for many clubs to survive~~ ***difficult for some clubs to continue on their current basis***. Furthermore, putting up membership fees to cover the increased costs would simply make bowls unaffordable for many older residents who are already struggling financially due to, amongst other things, the prolonged low interest rates on savings.

Therefore, this Council ~~urges the appropriate Committee to~~ ***supports the ongoing work to:***

- (i) ~~Withdraw its proposals for drastic across the board cuts in support for the city's bowling clubs;~~
- (ii) Seek a compromise solution that enables all clubs that wish to do so to continue operating, whilst exploring ways in which they can become more autonomous and less reliant on Council funding in the future;

And

- (iii) Requests officers to bring forward a report to the Economic Development & Culture / Policy & Resources Committee(s) later in the year with concrete proposals about how this can be achieved.”

Proposed by: Cllr West

Seconded by: Cllr Phillips

Supported by: Cllrs Bowden, Buckley, Davey, Deane, Duncan, Follett, Hawtree, Jarrett, Jones, Kennedy, A Kitcat, J Kitcat, Littman, Mac Cafferty, Powell, Rufus, Shanks, Summers, Sykes, Wakefield.

<b>Council</b>	<b>Agenda Item 20(c)</b>
19 July 2012	Brighton & Hove City Council

## NOTICE OF MOTION

### CONSERVATIVE GROUP AMENDMENT

#### ASSET REVIEW AND COMMUNITY INVESTMENT PROGRAMME

To delete the wording in paragraph 2 and bullet points 1 and 2 as struck through and insert the wording as shown in bold italics in paragraphs 2, and 3 and bullet points 1 and 2, and insert an additional paragraph 4:

“This council notes the ongoing difficulty in relation to funding its capital programme over the next three years and commits to taking action to increasing its available capital.

In particular it ~~also notes that £34m will be needed to complete the back log of repairs to the city’s schools and expresses deep regret that the recent bids~~ **by the city’s schools** to the Government’s Priority School Building Programme were refused.

It notes the practice of other councils such as LB Camden that have launched a large-scale Community Investment Programme that will renew school buildings and homes from the disposal of unwanted council assets following widespread public consultation. **It agrees that each council will have its own specific needs and resources but that all councils should, as a matter of course, regularly review all their assets to ensure that these needs are being met and that council taxpayers’ money is being put to best use.**

**Welcomes the significant capital investment in the city’s schools and council housing stock in recent years – in particular: £40 million in the city’s two Academy schools at Falmer and Portslade; funding for two new Free Schools; the new infant school at the Connaught; funding to expand 8 infant and junior schools; a £7.96 million Schools Capital allocation for 2012/13; £28 million through the housing Local Delivery Vehicle that has so far helped bring 100 properties back into use.**

It supports the current ‘Workstyles’ programme that has the potential to unlock money from council assets and reduce costs.

Accordingly, this council requests that as soon as possible a report is brought to the Policy & Resources Committee setting out the following:

- ~~A comprehensive plan~~ **How to accelerate the ongoing work** to demonstrate which further suitable assets, including all or part of King’s House, could be considered for sale based on the council’s Value for Money ~~principals~~ **principles.**

- Priorities for the investment from any such sales into public and community facilities, **particularly sporting facilities which do not currently benefit a city of this size and stature.** ~~Specifically, covering the shortfall in Coalition Government funding for local school buildings in order to make them fit for a modern education.~~
- The acceleration of the council's 'Workstyles' programme whilst ensuring that decent working facilities are provided."

Proposed by: Cllr. Wealls

Seconded by: Cllr. G Theobald



<b>Council</b>	<b>Agenda Item 20(d)</b>
19 July 2012	Brighton & Hove City Council

## NOTICE OF MOTION

### GREEN GROUP AMENDMENT

#### TRAVELLER ENCAMPMENTS ON SENSITIVE SITES IN BRIGHTON & HOVE

To insert the additional wording in paragraph two and replacement wording in point (1) below as shown in bold italics and delete the wording as struck through in paragraph 3 and point (1):

“This Council notes the powers contained in the Criminal Justice and Public Order Act 1994 that allow Sussex Police, in conjunction with Brighton & Hove City Council, to move unlawful encampments off public land in the city where they consider that (i) there is disruption to local community activity; (ii) damage has been caused to the land/property, e.g. forced entry; (iii) there is evidence of arrestable offences being committed by the trespassers; or (iv) there is proof that any of the trespassers have used threatening behaviour.

Council further notes that the recent Traveller Scrutiny Panel recommended that, as a matter of priority, the Council produce a plan for identifying and securing sensitive sites in the city. ***Council also notes the Panel’s other findings, including recognition that a new permanent site would free up temporary pitches for visiting travellers. Once enough pitches are free, the Police may use their full powers to redirect traveller groups to the transit site – rather than move groups on endlessly round the city.***

Given the ~~unprecedented~~ scale of unauthorised encampments in the city in recent months, many of which have occurred on sensitive parkland sites, this Council:

- (1) ~~Agrees that~~ ***Supports ongoing work on*** a sensitive site protocol ~~be adopted~~, in partnership with Sussex Police, as a matter of urgency and that any future incursions on sensitive sites be the subject of ~~immediate eviction~~ ***the statutory health, welfare and community impact checks prior to any decision about proportionately*** utilising the powers described above.
- (2) Believes that any areas not included on a sensitive sites list should not automatically become “tolerated” sites for unauthorised camping.”

Proposed by: Cllr West

Seconded by: Cllr Jarrett

Supported by: Cllrs Bowden, Buckley, Davey, Deane, Duncan, Follett, Hawtree, , Jones, Kennedy, A Kitcat, J Kitcat, Littman, Mac Cafferty, Phillips, Powell, Rufus, Shanks, Summers, Sykes, Wakefield.



**Council**

19 July 2012

**Agenda Item 21(A)**

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Supported Bus Services Network – Update</b>		
<b>Date of Meeting:</b>	<b>19 July 2012</b>		
<b>Report of:</b>	<b>Monitoring Officer</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Abraham Ghebre-Ghiorghis</b>	<b>Tel: 29-1500</b>
	<b>Email:</b>	<b>Abraham.ghebre-ghiorghis@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

For General Release

Note: By reason of the following circumstance, the Mayor is of the opinion that this item should be considered at the meeting as a matter of urgency having regard to items elsewhere on the agenda regarding Supported Bus Services Network and the request of the Policy & Resources Committee.

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the information set out in this report was not available and/or not able to be set out at the time the agenda was dispatched.

## **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 At the Policy and Resources Committee on the 14<sup>th</sup> of June 2012 Members awarded contracts for a selected number of supported bus routes in the city. A subsequent report was considered by the Policy & Resources Committee in a part II session. As part of its deliberations, the Committee decided that there should be a press release with information without disclosing exempt information and that should form the basis of a part I paper to Council so that it can be debated in the open part.
- 1.2. The press release is attached as Appendix 1.

## **2. RECOMMENDATIONS:**

- 2.1 Members are recommended to note the report and the attached statement.

### **Council saves supported bus routes**

Supported bus routes will be protected in Brighton & Hove because of increased savings.

The Policy and Resources committee has agreed to continue to subsidise the winter Sunday evening services 21B and 81A and the 81 Monday to Saturday evening services. The move was made after a correction to the procurement process that has resulted in increased savings. Brighton & Hove buses have confirmed that they will continue to run the 22, 24, 26, and 27 on a commercial basis.

School buses and safe transport for children will also be safeguarded by re-tendering new services for one year to provide school transport previously provided by the 74 and 96 bus services. The committee agreed to provide short term funding to make this happen.

The number 52 bus service will continue with a new provider, the Big Lemon, but with a shortened route terminating at the Marina

Council Leader Jason Kitcat said: "This means we will be able to fund non-commercial routes which will benefit residents and protect routes like the Sunday Evening winter services. Virtually all routes which were previously subsidised will continue either as a commercial or council subsidised services. This approach has flushed out which routes are now commercially viable and saved taxpayers money whilst maintaining services."

<b>Subject:</b>	<b>Supported Bus Service Network – Exempt Category 3 – Extract from the proceedings of the Policy &amp; Resources Committee Meeting held on the 12<sup>th</sup> July 2012.</b>		
<b>Date of Meeting:</b>	<b>19 July 2012</b>		
<b>Report of:</b>	<b>Strategic Director; Resources</b>		
<b>Contact Officer:</b>	<b>Name: Mark Wall</b>	<b>Tel: 29-1006</b>	
	<b>E-mail: mark.wall@brighton-hove.gov.uk</b>		
<b>Wards Affected:</b>	<b>All</b>		

**POLICY & RESOURCES COMMITTEE****4.00 pm 12 July 2012****COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Hamilton, Mitchell, A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson), Wakefield and West.

**PART TWO****45. SUPPORTED BUS SERVICES NETWORK – UPDTE - EXEMPT CATEGORY 3**

- 45.5 The Strategic Director; Place introduced the report and explained that following the Committee's decision in June in approving the award of the contracts for the Supported Bus Service Network, it had come to light that an administrative error had been made which affected the No.52 service. The contract had been recommended for award to Brighton & Hove Bus Company; however the basis for the recommendation had been on the whole route and not the alternative shorter route, for which the Big Lemon tender was cheaper and therefore should have been awarded accordingly. He could only apologise for the error and ask that the committee agree to rectify it and award the contract to the Big Lemon Bus Company.
- 45.6 The Strategic Director also noted that as a result of the award to the Big Lemon, a saving was generated and this together with some additional savings and conformation from the bus companies meant that the previous services that would have ceased would continue to operate. The only route that remained unavailable was the longer part of the No.52.
- 45.7 The Chair stated that the error was unfortunate but along with the procurement process that had been undertaken did have a positive outcome which had to be welcomed. He

also noted that in respect of the school routes, there was a need to be clear to parents and children that a 1 year procurement process would be undertaken and that the routes would be subject to further review.

- 45.8 Councillor Mitchell welcomed the report and stated that she believed matters had moved a long way and noted that the bus company would be continuing to provide winter and evening services. However, she was still concerned about the No.52 and questioned why the route had been split as part of the tender process. She believed that Brighton & Hove Bus Company had offered to run the service into the city centre via the Bristol Estate and felt that this needed to be addressed. At present it meant that there would still be no service out to Woodingdean. She also queried whether the all-through ticketing would apply to the Big Lemon and whether it was able to provide vehicles with low-floor accessibility, which she believed was a requirement of the contract and would also be part of the real-time table-table.
- 45.9 The Strategic Director; Place confirmed that both the low-floor and real-time elements were requirements of the contract. He was not clear about whether an offer had been made to run the No.52 via the Bristol Estate and through-ticketing would apply to those routes that were subsidised under the new contracts.
- 45.10 Councillor Ann Norman queried whether the Big Lemon Bus Company had been unwilling to tender for the longer No.52 route.
- 45.11 The Strategic Director; Place confirmed that because of the added costs for the longer route, the Big Lemon had only tendered for the shorter route; as had the company been successful it would have impacted on their financial standing as a company.
- 45.12 The Chair stated that he wished to thank the officers involved in the process for their work and believed that it had been beneficial to keep to the outcome of the procurement process. He then put the recommendations to the vote.
- 45.13 **RESOLVED:**
- (1) That notwithstanding the decision taken on the 14<sup>th</sup> June 2012, having considered the further information that had come to light, the contract for bus service 52 terminating at the Marina be awarded to The Big Lemon, and not to Brighton and Hove Buses;
  - (2) That the school bus routes 74 and 96 be retendered for 1 year as set out in paragraphs 3.5 and 3.6 of the report and funded from one-off risk provisions in the budget; and
  - (3) That the over-achievement of savings of £60,000 per year be earmarked to fund the winter Sunday evening services 21B and 81A and the 81 Monday to Saturday evening services.

Note: The above item was taken with the agreement of the Chair as a matter of urgency as information had come to light in regard to the proposed award of a contract in relation to the Supported Bus Services Network, which had also meant that the item and report had not been included on the agenda or available at the time of despatch.

<b>Subject:</b>	<b>Supported Bus Services Network – Update – Exempt Category 3</b>		
<b>Date of Meeting:</b>	<b>12 July 2012</b>		
<b>Report of:</b>	<b>Strategic Director, Place</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Prior</b>	<b>Tel: 29-2095</b>
		<b>Mark Ireland</b>	<b>29-1240</b>
	<b>Email:</b>	<a href="mailto:mark.prior@brighton-hove.gov.uk">mark.prior@brighton-hove.gov.uk</a>	
		<a href="mailto:mark.ireland@brighton-hove.gov.uk">mark.ireland@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

**NOT FOR PUBLICATION**

The public are likely to be excluded from the meeting during consideration of this report as it contains exempt information as defined in paragraph 3 schedule 12A to the Local Government Act 1972 (as amended).

Note: By reason of the following circumstance, the Chair of the Committee is of the opinion that this item should be considered at the meeting as a matter of urgency **as** information has come to light in regard to the proposed award of a contract in relation to the Supported Bus Services Network.

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the information set out in this report was not available and/or not able to be set out at the time the agenda was dispatched.

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 At the Policy and Resources Committee on the 14<sup>th</sup> of June 2012 Members awarded contracts for a selected number of supported bus routes in the city. The recommendations and subsequent decision in that report were based on the council needing to find savings of £226,000 per year (made up of a £113,000 budget pressure and a £113,000 contract price increase) and were therefore unable to continue to support a number of routes in the city. Since that meeting it has come to light that there was an error in the recommendation in respect of the shortened number 52 bus route which would materially affect the decision taken by the Committee. A correction of this error results in additional savings of £57,000 per year.
- 1.2 This report also recommends that modified school bus routes 74 and 96 are kept operational from September and re-tendered for 1 year whilst the review of all school transport arrangements is carried out. The resources generated by the over-achieved savings are earmarked to ensure that the winter Sunday services and the 81 Monday to Saturday evening services are maintained.

## 2. RECOMMENDATIONS:

- 2.1 That notwithstanding the decision taken on the 14th June, the Policy & Resources Committee, having considered the further information that has come to light awards the contract for bus service 52 terminating at the Marina to The Big Lemon, and not to Brighton and Hove Buses.
- 2.2 That the Policy & Resources Committee agrees that the school bus routes 74 and 96 are retendered for 1 year as set out in paragraphs 3.5 and 3.6 and are funded from one-off risk provisions in the budget.
- 2.3 That the over-achievement of savings of £60,000 per year will be earmarked to fund the winter Sunday evening services 21B and 81A and the 81 Monday to Saturday evening services.

## 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Two separate contracts were tendered for the number 52 route, one which covered the existing route and one which covered a shorter route terminating at the Marina. Only Brighton & Hove Buses tendered for the existing route at a quoted price of £231,454 per year. For the shorter route Brighton & Hove Buses quoted £167,998 per year whereas The Big Lemon quoted £110,776 per year a reduction of £57,222. An administrative error in the report to Policy & Resources in June recommended awarding the contract to Brighton & Hove Buses when it should have been awarded to The Big Lemon.
- 3.2 Members are therefore recommended to change the award of the service below to The Big Lemon.

Service Number	Contract length	Provider
Service 52 (M-S) terminating at Marina	4 years	The Big Lemon

- 3.3 This means that the saving of £229,000 identified in the June report increases to approximately £286,000 which is £60,000 more than the required saving of £226,000 needed to set a Public Transport budget in line with the budget framework agreed by full Council in February 2012.
- 3.4 The June report also approved the removal of funding for winter Sunday evening services (21B, 22, 24, 26, 27, 81A) which run after 6pm on Sundays between September and May. Brighton & Hove Buses have recently confirmed that they will continue to run 4 of these services (22, 24, 26, 27) on a commercial basis. The cost of funding Brighton & Hove Buses to operate the remaining services (21B and 81A) is £14,000 per year and it is proposed to use the additional savings so that these services can continue as well. It is proposed to use the remaining £46,000 to also retain the 81 Monday to Saturday evening service.
- 3.5 The report recommends providing one-off resources to ensure that modified school bus routes 74 and 96 can continue to operate from September. In order



not to prejudice the major review of school transport that will be undertaken, it is recommended that a new tendering exercise to provide these services is for 1 year only and is undertaken quickly. It is likely that the routes would be slightly modified for practical operational reasons. As the value of the services is less than the EU thresholds contract standing orders require at least 5 competitive quotes to be sought. These can be sought as a minimum from those operators who submitted PQQs for the overall tender along with any other local operators deemed appropriate.

- 3.6 The invitation to quote is in preparation and can be issued on 13 July with a return date of 27 July. This will be followed by a short evaluation and award in early August to allow a mobilisation period of nearly a month.
- 3.7 This means that the only change from current routes in September 2012/13 will be a shortened 52 and short term arrangements for the school bus routes 74 and 96.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 The council has liaised with all commercial bus operators serving the City, in order to ensure that the supported bus network supplements and enhances the commercial network, to provide the best possible journey options for residents and visitors and to ensure the council does not duplicate or support any commercially viable routes.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The savings from the change in the contract award for the 52 will be used to retain those winter Sunday evening services that will not be operated commercially and the 81 Monday to Saturday services. One off resources from one off risk provisions will be used to fund the new arrangements for the affected school bus routes. The cost will be determined following the tender process but is estimated to be in the region of £50,000.

*Finance Officer Consulted: Mark Ireland Date: 6th July 2012*

##### Legal Implications:

- 5.2 Details of the Council's duty to provide subsidised bus services have been outlined in earlier reports. In terms of the decision taken on the 14th June although notification letters have been sent out, formal contracts have not yet been signed. Brighton and Hove Buses have been advised of the position. As the proposed new contracts are below the threshold at which the EU Procurement Rules apply, the process for letting these contracts is governed by Contract Standing Orders. The award of the contracts will be dealt with under delegated powers following evaluation of the bids.

*Lawyer Consulted: Name: Jill Whittaker Date: 9th July 2012*

- 5.3 Equalities Implications:  
The provision of safe, accessible, affordable, and reliable public transport provides travel opportunities for all sectors of the community without access to private transport.
- 5.4 Sustainability Implications:  
The provision of council supported bus services in areas where there is no commercial bus provision provides a sustainable alternative to car use, with benefits to congestion and air quality.
- 5.5 Crime & Disorder Implications:  
It is not considered that there are any adverse implications for crime and disorder arising from the recommendations in this report.
- 5.6 Risk and Opportunity Management Implications:  
It is not considered that there are any risks to the city council associated with this report. The successful contractor(s) will be paid four-weekly in arrears for services already delivered.
- 5.7 Public Health Implications:  
It is not considered that there are any Public Health Implications from arising from the recommendations arising from this report.
- 5.8 Corporate / Citywide Implications:  
The availability of safe, accessible, affordable, reliable and frequent public transport services are key to meeting each of the city council's core objectives.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

None.

### **Documents in Members' Rooms**

None.

### **Background Documents**

None.

**Council**

19 July 2012

**Agenda Item 22(A)**

Brighton &amp; Hove City Council

**Subject:** Part Two Summary – Extract from the proceedings of the Policy & Resources Committee Meeting held on the 12<sup>th</sup> July 2012.

**Date of Meeting:** 19 July 2012

**Report of:** Strategic Director; Resources

**Contact Officer:** Name: **Mark Wall** Tel: **29-1006**

E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**POLICY & RESOURCES COMMITTEE**

4.00 pm 12 July 2012

**COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Hamilton, Mitchell, A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson), Wakefield and West.

**PART TWO SUMMARY****47. PART TWO PROCEEDINGS**

- 47.1 The Chair proposed that Item 45 and the decisions thereon should be made public and form an open report to the Council meeting on the 19<sup>th</sup> July, 2012. He also suggested that Items 41 to 44 and 46 should remain exempt from disclosure, as well as the urgent report Item 45(A), although he acknowledged that the outcomes would need to be discussed with the affected bus companies and made public.
- 47.2 Councillor Mitchell asked that the report for Item 45(A) be referred to the council meeting for information and that a part one report be drafted so that aspects could be debated in open session at the council meeting.
- 47.3 The Director of Finance and the Monitoring Officer informed the committee that they would prepare a document for publication having informed the bus operators of the outcome of the decisions taken under Item 45(A) and that a part one report would also be provided for the council meeting subject to the agreement of the Mayor.

**47.4 RESOLVED:**

- (1) That Items 41, 42, 43, 44, 45(A) and 46 and the decisions thereon remain exempt from disclosure to the press and public.
- (2) That Item 45 and the decisions thereon be made public and that an urgent part one report on the Supported Bus Service Network be prepared for the Council meeting on the 19<sup>th</sup> July subject to the Mayor's agreement.