



**Brighton & Hove
City Council**

**COUNCIL
ADDENDUM**

4.30PM, THURSDAY, 27 MARCH 2014

COUNCIL CHAMBER, HOVE TOWN HALL

ADDENDUM

ITEM	Page
92. MINUTES	1 - 40
To approve as a correct record the minutes of:	
(b) The minutes of the Budget Council meeting held on the 27 th February 2014 (copy attached).	
(c) The minutes of the Budget Council meeting held on the 5 th March 2014 (copy attached).	
95. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.	41 - 42
List of written questions received by the due date of the 20 th March 2014 (copy attached).	
96. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.	43 - 44
Deputation from members of the public received by the due date of the 20 th March 2014 (copy attached).	
97. PETITIONS FOR COUNCIL DEBATE	45 - 46
Amendment to the recommendations – Proposed by Councillor Cox (copy attached).	
98. WRITTEN QUESTIONS FROM COUNCILLORS.	47 - 48
A list of the written questions submitted by Members has been included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.	
101. PAY POLICY STATEMENT 2014-15	49 - 62
Extract from the proceedings of the Policy & Resources Committee meeting held on the 20 th March 2014; together with amendments following the debate at the Policy & Resources Committee and the updated report to reflect these changes (copies attached).	
102. ANNUAL INVESTMENT STRATEGY 2014/15	63 - 64
Extract from the proceedings of the Policy & Resources Committee meeting held on the 20 th March 2014 (copy attached).	

103. ANNUAL UPDATE OF THE COUNCIL'S CORPORATE PLAN 2014/15 65 - 68

Extract from the proceedings of the Policy & Resources Committee meeting held on the 20th March 2014, together with a revised addition to the Corporate Plan following the debate at the Policy & Resources Committee meeting (copies attached).

105. REVIEW OF THE COUNCIL'S CONSTITUTION 2014 69 - 86

Extract from the proceedings of the Policy & Resources Committee meeting held on the 20th March 2014; together with amendments following the debate at the Policy & Resources Committee and the updated appendix to reflect these changes (copies attached).

106. NOTICES OF MOTION. 87 - 92

- (a) Improving the Refuse and Recycling Service – Amendment from Councillor J. Kitcat on behalf of the Green Group (copy attached).
- (c) Payday Lenders and Internet Ban – Updated Notice Motion of to correct typographical error (copy attached).
- (d) Redevelopment of Royal Sussex County Hospital – Amendment from Councillor Wealls on behalf of the Conservative Group (copy attached).

BRIGHTON & HOVE CITY COUNCIL**BUDGET COUNCIL****4.30pm 27 FEBRUARY 2014****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Cobb (Chair), Randall (Deputy Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cox, Daniel, Davey, Deane, Duncan, Farrow, Fitch, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, Jones, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pissaridou, Powell, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson.

PART ONE**77. DECLARATIONS OF INTEREST**

- 77.1 The Mayor noted that the Monitoring Officer had written to all Members to enable them to apply for dispensation, which he was authorised to grant, in order that they could take part and vote on the budget matters. It was for each individual Member to decide whether or not to apply for such dispensation and she confirmed that applications had been made and duly authorised. She then reminded Members that the dispensation did not dispense with the need to declare a pecuniary or personal interest and therefore asked if any such declarations needed to be made.
- 77.2 Councillor Janio declared a personal and non-prejudicial interest in Item 79, General Fund Revenue Budget & Council Tax 2014/15 as his wife held a Trader's Permit, which was affected by the budget proposals.
- 77.3 Councillor C. Theobald declared a personal and non-prejudicial interest in Item 79, General Fund Revenue Budget & Council Tax 2014/15 as she was the president of Mencap, Brighton & Hove.
- 77.4 Councillor Davey declared a pecuniary interest in Item 79, General Fund Revenue Budget & Council Tax 2014/15 for which he had been granted dispensation, as his wife worked in Adult Social Care.
- 77.5 Councillor Hamilton declared a personal and non-prejudicial interest in Item 79, General Fund Revenue Budget & Council Tax 2014/15 as his daughter worked part-time for the council.

- 77.6 Councillor G. Theobald raised a Point of Order in regard to the number of Members who held a trade union membership and queried whether the failure to declare at the present meeting prevented those Members from taking part and voting on the items before them.
- 77.7 The Monitoring Officer stated that the decision to declare a personal and/or prejudicial interest was for each Member to decide on and should any Member have a concern, they could seek advice from him or his officers, however in not making such a declaration, it would not invalidate the proceedings . He also noted that under the current regulations if a Member had listed their interest in their Register of Interests then there was no need to make such a declaration at a subsequent committee or council meeting.
- 77.8 Councillor Duncan declared a personal and non-prejudicial interest in item 79, General Fund Revenue Budget & Council Tax 2014/15 as he a member of the GMB which was affected by the budget proposals.
- 77.9 Councillor Powell declared a personal and non-prejudicial interest in item 79, General Fund Revenue Budget & Council Tax 2014/15 as she worked for Brighton & Hove Federation for Disabled; and was an active Unison Member all of which were affected by the budget proposals.
- 77.10 The Mayor noted that there were no other declarations of interests in matters appearing on the agenda. She also informed the Council that a technical problem had occurred with the web cast of the meeting and she therefore wished to hold a short adjournment to enable the fault to be rectified. The Mayor then adjourned the meeting at 4.40pm.
- 77.11 The Mayor reconvened the meeting at 4.55pm and noted that it was hoped that the technical fault would be resolved but stated that she felt it was necessary to continue with the meeting.

78. MAYOR'S COMMUNICATIONS.

- 78.1 The Mayor reported that under Section 30(6) of the Local Government Act 1992 the Council had a duty to set the Council Tax by 11 March 2014. A failure to set a tax did not then in itself invalidate the tax demands but it had other adverse consequences including the potential loss of income to the Council. One significant practical implication was that the contractor who printed and sent out the Council Tax bills had a slot booked to process the City Council's bills and a delay in setting the Budget could have significant implications in this respect.
- 78.2 The Mayor noted that the procedure agreed for the budget debate enabled the Administration to outline its budget proposals along with any amendments and for the various Groups to put forward up to seven amendments. She reminded the council of the need to set a balanced budget and whilst there was a situation of no overall control, she noted that Members had both a collective and individual responsibility to ensure that the process allowed for the setting of a balanced budget. She also noted that should any of the amendments put forward be approved, there may then be a need to adjourn

the meeting to enable the Executive Director for Finance & Resources and/or the Monitoring Officer to clarify the impact on the overall budget position.

- 78.3 The Mayor stated that there would not be a formal call over as she was aware that Members wished to discuss all three items under the Policy & Resources Committee's proceedings. She also noted that a procedural note in relation to the Budget debate had been circulated as an annex to the agenda, and that a procedural note had been circulated as part of the addendum papers which she hoped Members would find helpful. In this respect she stated that it was intended that the General Fund Revenue Budget and Council Tax 2014/15, the Supplementary Financial Information report, the Capital Resources and Capital Investment Programme and the Housing Revenue Account Budget would be taken together in the one debate.
- 78.4 The Mayor outlined the process for the debate and asked that in moving the Budget and the amendments, the Member concerned should give an indication of their Group's position in respect of the various amendments that had been notified to enable proper space for debate on the issues of contention. She stated that following the conclusion of the general debate, she would then ask for the electronic voting system to be activated and then take votes on each amendment and finally on the substantive proposals as proposed or as amended. She noted that there would be three separate votes on the substantive proposals, i.e. Item 79 together with Item 80, then Item 81 and finally Item 82.
- 78.5 The Mayor then advised the council that Procedural Rules would need to be suspended in so far as was necessary to enable the business under Items 79-82 on the agenda to be dealt with as set out in the annex and the procedural note as circulated and moved the suspension accordingly.

78.6 The motion was **carried**.

79. GENERAL FUND REVENUE BUDGET & COUNCIL TAX 2014/15

- 79.1 The Mayor noted that all three budget areas listed as Items 79, 80 and 82 would be debated together, along with Item 81 Supplementary Financial Information, once the proposed budget and the various amendments had been moved and seconded and invited Councillor Littman to propose the budget for 2014/15.
- 79.2 Councillor Littman stated that he wished to thank finance officers and all the officers across the council involved in the budget process and his colleagues in enabling the budget papers to be brought to the council meeting. He was willing to move the budget for 2014/15, but noted that the Green Administration believed that there should be a council tax increase of 4.75% and as such the Group's first amendment was predicated on that and the positive outcome of a referendum. He also wished to move the other two Green amendments which were based on a council tax increase of 1.99%. He noted that the council faced further and more severe cuts for 2016/17 and therefore it was imperative to put the council in the best position possible. Having had to freeze the budget in previous years, the council had lost £4m of resources that would have been available for the current budget setting process. He could not support either the Conservative or the Labour & Co-operative amendments and therefore recommended that the council should adopt the budget as amended by the Green Group's first

amendment; and if that should fall then the council should accept the remaining two Green amendments.

- 79.3 Councillor J. Kitcat formally seconded the proposed Budget as amended by the Green Group's first amendment and also seconded the remaining two Green amendments which would come into effect should the first amendment be lost. He noted that a lot of progress had been made, with increased visitor numbers to the city, shop vacancies reducing and the city's economy doing well. He accepted that there was still more to do and that difficult decisions would have to be taken in face of the level of cuts that were anticipated for the public sector. The council had lost out on £4m resources because of the council tax freeze and that had increased the pressure to produce a budget for this year. The council was already incredibly efficient, there were over seventy shared services with other organisations and following the consultations on the budget proposals public support for an increase in council tax and a referendum. He believed that the residents of the city should be given the opportunity to determine whether or not a budget based on a 4.7% increase should be set and therefore urged the council to support the Green Group's amendment.
- 79.4 Councillor A. Norman moved the seven amendments to the Budget proposals on behalf of the Conservative Group and stated that she did not believe that there was a need to raise council tax. A council tax freeze could be implemented and should be with the acceptance of the Government's grant that was on offer. She also wished to thank the finance officers for their help and assistance with the proposed amendments. She suggested that further consideration needed to be given to using private contracts and the voluntary sector to help deliver services as well as shared services with other authorities. There were clear examples of how other authorities had taken such an approach and the council could learn from these. She also noted that the independent auditors had found council services to be more expensive and suggested that they could be delivered differently. She noted that the Labour & Co-operative's proposals amounted to a difference of only £850k from a budget of over £750m and suggested that this level of savings could be found with a council tax freeze budget, rather than seeing residents having to find a way to meet a council tax increase. She then moved the following amendments:
- 79.5 Councillor G. Theobald formally seconded the Conservative Group's amendments and thanked Councillor Norman for her hard work in enabling an alternative budget to be proposed. It was clear that a council tax freeze could be achieved and he noted that the government grant funding had been built into future years budget funding. There was a need to enable market testing of services and to deliver services more efficiently and to protect those residents on fixed incomes or who were just above the benefit level as they would be hardest hit by the Green Group's proposals. He believed that a council tax freeze was supported by the majority of residents and therefore the amendments from the Conservative Group agreed.
- 76.7 Councillor Morgan moved the seven amendments on behalf of the Labour & Co-operative Group and stated that he also wished to thank the finance officers for their assistance and advice during the budget setting process. He stated that local government was facing an unprecedented assault on it by central government and the amendments sought to clarify matters and take account of the changes being imposed by the government and therefore the Labour & Co-operative Group could not support a

council tax freeze. He also stated that he did not believe that residents would vote in favour of a 4.75% council tax increase in a referendum and that it was better to use the available resources to support services and organisations in the year ahead. He also suggested that a whole-scale review of the council's budget position should have been undertaken rather than asking departments to volunteer cuts to services. There was a need to take difficult decisions and the council had to be prepared to take them and part of that process meant implementing a council tax increase as was allowed under the government's restrictions. He also noted that local government was the most efficient part of the public sector, yet it was faced with huge cuts to its budgets. The Labour & Co-operative Group's amendments reflected the residents' priorities and he hoped that they would be supported.

- 76.8 Councillor Hamilton formally seconded the amendments, and stated that he wished to thank all the finance officers for their help and advice during the budget setting process and in enabling the various amendments to be put together. He was pleased to second the seven Labour & Co-operative Group's amendments and noted that they did not impact on the 2015/16 budget unlike the Conservative Group's. He also noted that the 2015/16 budget process was likely to see a further reduction in the available grants from central government and therefore place more pressure on local authorities to find savings or alternate resources. He agreed that a council tax freeze even with the £1.2m freeze grant built-in would result in the authority being worse off and that a potential £4m had been lost because of the previous council tax freeze. However, he could not support a council tax increase above the 2% target and therefore a potential referendum which would be costly and was likely to result in a no vote. He therefore hoped that the amendments put forward by the Labour & Co-operative Group would be accepted.
- 76.9 The Mayor then opened the matter up to a general debate and the following Members of the Council spoke on the various motions that had been put forward; Councillors Davey, Wakefield, Robins, Simson, Daniel, Wilson, Gilbey, Mitchell, West, Sykes, Cox, Wealls, Shanks, Deane, C. Theobald, K. Norman, Summers, Mac Cafferty, Mears, Hawtree, Duncan, Bowden, Randall, Hyde, Pissaridou, Janio, Peltzer Dunn, Jarrett, Meadows, Carden, J. Kitcat, Phillips and Smith.
- 76.10 The Mayor noted that all Members wishing to speak during the debate had done so. She then called on Councillor Littman to respond to the debate and the amendments.
- 76.11 Councillor Littman thanked the Mayor and noted that there were a total of 14 amendments put forward by the Opposition Groups all of which had some good elements and all of which could be addressed if a council tax increase of 4.75% was approved. He did not believe that the outcome of a referendum should be presumed and suggested that with support it was likely that residents could be persuaded to accept the proposed council tax increase and therefore they should be allowed to decide. On that basis he hoped that the Green Group's amendment number 1 would be accepted.
- 76.12 The Mayor stated that Items 79 and 80 would be taken together. She intended to put each of the amendments to the vote, during which she would call on the Executive Director for Finance & Resources to confirm the budgetary position should any be carried and impact on the overall budget; before putting the substantive recommendations to the vote as outlined in the procedural document.

76.13 The Mayor then asked for the electronic voting system to be activated and put the Green Group's amendments to the vote:

76.14 Green Amendment No. 1

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh		X	
Bennett - absent				Meadows		X	
Bowden	√			Mears		X	
Brown		X		Mitchell		X	
Buckley	√			Morgan		X	
Carden		X		A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel		X		Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou		X	
Duncan	√			Powell	√		
Farrow		X		Randall	√		
Fitch		X		Robins		X	
Gilbey		X		Rufus	√		
Hamilton		X		Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett	√			Sykes	√		
Jones	√			C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper		X		Wells		X	
Littman	√			West	√		
MacCafferty	√			Wilson		X	

					Total	20	30	
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76.15 The Mayor confirmed that the motion was **lost** by 20 votes to 30.

76.16 Green Amendment No. 2

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh		X	
Bennett - absent				Meadows		X	
Bowden	√			Mears		X	
Brown		X		Mitchell		X	
Buckley	√			Morgan		X	
Carden		X		A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel		X		Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou		X	
Duncan	√			Powell	√		
Farrow		X		Randall	√		
Fitch		X		Robins		X	
Gilbey		X		Rufus	√		
Hamilton		X		Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett	√			Sykes	√		
Jones	√			C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper		X		Wells		X	
Littman	√			West	√		
MacCafferty	√			Wilson		X	

					Total	20	30

76.17 The Mayor confirmed that the motion was **lost** by 20 votes to 30 votes.

76.18 Green Amendment No. 3

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh		X	
Bennett - absent				Meadows		X	
Bowden	√			Mears		X	
Brown		X		Mitchell		X	
Buckley	√			Morgan		X	
Carden		X		A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel		X		Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou		X	
Duncan	√			Powell	√		
Farrow		X		Randall	√		
Fitch		X		Robins		X	
Gilbey		X		Rufus	√		
Hamilton		X		Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett	√			Sykes	√		
Jones	√			C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper		X		Wells		X	
Littman	√			West	√		

MacCafferty	√				Wilson		X	
					Total	20	30	

76.19 The Mayor confirmed that the motion was **lost** by 20 votes to 30 votes.

76.20 The Mayor then put the Conservative Group's amendments to the vote:

76.21 Conservative Amendment No. 1

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh		X	
Bennett - absent				Meadows		X	
Bowden		X		Mears	√		
Brown	√			Mitchell		X	
Buckley		X		Morgan		X	
Carden		X		A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel		X		Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou		X	
Duncan		X		Powell		X	
Farrow		X		Randall		X	
Fitch		X		Robins		X	
Gilbey		X		Rufus		X	
Hamilton		X		Shanks		X	
Hawtree		X		Simson	√		
Hyde	√			Smith	√		
Janio	√			Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls	√		

Lepper		X		Wells	√		
Littman		X		West		X	
MacCafferty		X		Wilson		X	
				Total	16	34	

76.22 The Mayor confirmed that the motion was **lost** by 16 votes to 34 votes.

76.23 Conservative Amendment No. 2

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh	√		
Bennett - absent				Meadows	√		
Bowden		X		Mears	√		
Brown	√			Mitchell	√		
Buckley		X		Morgan	√		
Carden	√			A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel	√			Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou	√		
Duncan		X		Powell		X	
Farrow	√			Randall		X	
Fitch	√			Robins	√		
Gilbey	√			Rufus		X	
Hamilton	√			Shanks		X	
Hawtree		X		Simson	√		
Hyde	√			Smith	√		
Janio	√			Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat - absent				Wakefield		X	

J Kitcat		X		Wealls	√		
Lepper	√			Wells	√		
Littman		X		West		X	
MacCafferty		X		Wilson	√		
				Total	30	20	

76.24 The Mayor confirmed that the motion was **carried** by 30 votes to 20 votes.

76.25 Conservative Amendment No. 3

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh		X	
Bennett - absent				Meadows		X	
Bowden		X		Mears	√		
Brown	√			Mitchell		X	
Buckley		X		Morgan		X	
Carden		X		A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel		X		Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou		X	
Duncan		X		Powell		X	
Farrow		X		Randall		X	
Fitch		X		Robins		X	
Gilbey		X		Rufus		X	
Hamilton		X		Shanks		X	
Hawtree		X		Simson	√		
Hyde	√			Smith	√		
Janio	√			Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald	√		
Kennedy - absent				G Theobald	√		

A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls	√		
Lepper		X		Wells	√		
Littman		X		West		X	
MacCafferty		X		Wilson		X	
				Total	16	34	

76.26 The Mayor confirmed that the motion was **lost** by 16 votes to 30 votes.

76.27 Conservative Amendment No. 4

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh		X	
Bennett - absent				Meadows		X	
Bowden		X		Mears	√		
Brown	√			Mitchell		X	
Buckley		X		Morgan		X	
Carden		X		A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel		X		Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou		X	
Duncan		X		Powell		X	
Farrow		X		Randall		X	
Fitch		X		Robins		X	
Gilbey		X		Rufus		X	
Hamilton		X		Shanks		X	
Hawtree		X		Simson	√		
Hyde	√			Smith	√		
Janio	√			Summers		X	
Jarrett		X		Sykes		X	

Jones		X		C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls	√		
Lepper		X		Wells	√		
Littman		X		West		X	
MacCafferty		X		Wilson		X	
				Total	16	34	

76.28 The Mayor confirmed that the motion was **lost** by 16 votes to 34 votes.

76.29 Conservative Amendment No. 5

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh		X	
Bennett - absent				Meadows		X	
Bowden		X		Mears	√		
Brown	√			Mitchell		X	
Buckley		X		Morgan		X	
Carden		X		A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel		X		Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou		X	
Duncan		X		Powell		X	
Farrow		X		Randall		X	
Fitch		X		Robins		X	
Gilbey		X		Rufus		X	
Hamilton		X		Shanks		X	
Hawtree		X		Simson	√		
Hyde	√			Smith	√		

Janio	√			Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls	√		
Lepper		X		Wells	√		
Littman		X		West		X	
MacCafferty		X		Wilson		X	
				Total	16	34	

76.30 The Mayor confirmed that the motion was **lost** by 16 votes to 34 votes.

76.31 Conservative Amendment No. 6

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh		X	
Bennett - absent				Meadows		X	
Bowden		X		Mears	√		
Brown	√			Mitchell		X	
Buckley		X		Morgan		X	
Carden		X		A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel		X		Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou		X	
Duncan		X		Powell		X	
Farrow		X		Randall		X	
Fitch		X		Robins		X	
Gilbey		X		Rufus		X	
Hamilton		X		Shanks		X	

Hawtree		X		Simson	√		
Hyde	√			Smith	√		
Janio	√			Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls	√		
Lepper		X		Wells	√		
Littman		X		West		X	
MacCafferty		X		Wilson		X	
				Total	16	34	

76.32 The Mayor confirmed that the motion was **lost** by 16 votes to 34 votes.

76.33 Conservative Amendment No. 7

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh		X	
Bennett - absent				Meadows		X	
Bowden		X		Mears	√		
Brown	√			Mitchell		X	
Buckley		X		Morgan		X	
Carden		X		A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel		X		Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou		X	
Duncan		X		Powell		X	
Farrow		X		Randall		X	
Fitch		X		Robins		X	

Gilbey		X		Rufus		X	
Hamilton		X		Shanks		X	
Hawtree		X		Simson	√		
Hyde	√			Smith	√		
Janio	√			Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls	√		
Lepper		X		Wells	√		
Littman		X		West		X	
MacCafferty		X		Wilson		X	
				Total	16	34	

76.34 The Mayor confirmed that the motion was **lost** by 16 votes to 34 votes.

76.35 The Mayor confirmed that the Conservative Group's amendment No.2 had been carried and that amendment No's. 1, 3, 4, 5, 6 and 7 had been lost.

76.36 The Mayor then put the Labour & Co-operative Group's amendments to the vote:

76.37 Labour & Co-op Amendment No. 1

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden	√			Mears		X	
Brown		X		Mitchell	√		
Buckley	√			Morgan	√		
Carden	√			A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		

Duncan	√			Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		
Hamilton	√			Shanks	√		
Hawtree				Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers		X	
Jarrett	√			Sykes	√		
Jones	√			C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper	√			Wells		X	
Littman	√			West	√		
MacCafferty	√			Wilson	√		
				Total	31	19	

76.38 The Mayor confirmed that the motion was **carried** by 31 votes to 19 votes.

76.39 Labour & Co-op Amendment No. 2

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden	√			Mears		X	
Brown		X		Mitchell	√		
Buckley	√			Morgan	√		
Carden	√			A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips	√		
Davey	√			Pidgeon - absent			

Deane	√			Pissaridou	√		
Duncan	√			Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		
Hamilton	√			Shanks	√		
Hawtree				Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers		X	
Jarrett	√			Sykes	√		
Jones	√			C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper	√			Wells		X	
Littman	√			West	√		
MacCafferty	√			Wilson	√		
				Total	31	19	

76.40 The Mayor confirmed that the motion was **carried** by 31 votes to 19 votes.

76.41 The Executive Director for Finance & Resources confirmed that as a result of the Conservative Group's amendment No.2 being carried, the Labour & Co-op Amendment No. 3 was withdrawn.

76.42 Labour & Co-op Amendment No.4

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden		X		Mears		X	
Brown		X		Mitchell	√		
Buckley		X		Morgan	√		
Carden	√			A Norman		X	
Cobb		X		K Norman		X	

Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou	√		
Duncan		X		Powell		X	
Farrow	√			Randall		X	
Fitch	√			Robins	√		
Gilbey	√			Rufus		X	
Hamilton	√			Shanks		X	
Hawtree		X		Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls		X	
Lepper	√			Wells		X	
Littman		X		West		X	
MacCafferty		X		Wilson	√		
				Total	14	36	

76.43 The Mayor confirmed that the motion was **lost** by 14 votes to 36 votes.

76.44 Labour & Co-op Amendment No.5

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden		X		Mears		X	
Brown		X		Mitchell	√		
Buckley		X		Morgan	√		
Carden	√			A Norman		X	

Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou	√		
Duncan		X		Powell		X	
Farrow	√			Randall		X	
Fitch	√			Robins	√		
Gilbey	√			Rufus		X	
Hamilton	√			Shanks		X	
Hawtree		X		Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls		X	
Lepper	√			Wells		X	
Littman		X		West		X	
MacCafferty		X		Wilson	√		
				Total	14	36	

76.45 The Mayor confirmed that the motion was **lost** by 14 votes to 36 votes.

76.46 Labour & Co-op Amendment No.6

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden		X		Mears		X	
Brown		X		Mitchell	√		
Buckley		X		Morgan	√		

Carden	√			A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou	√		
Duncan		X		Powell		X	
Farrow	√			Randall		X	
Fitch	√			Robins	√		
Gilbey	√			Rufus		X	
Hamilton	√			Shanks		X	
Hawtree		X		Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls		X	
Lepper	√			Wells		X	
Littman		X		West		X	
MacCafferty		X		Wilson	√		
				Total	14	36	

76.47 The Mayor confirmed that the motion was **lost** by 14 votes to 36 votes.

76.48 Labour & Co-op Amendment No.7

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden		X		Mears		X	
Brown		X		Mitchell	√		

Buckley		X		Morgan	√		
Carden	√			A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou	√		
Duncan		X		Powell		X	
Farrow	√			Randall		X	
Fitch	√			Robins	√		
Gilbey	√			Rufus		X	
Hamilton	√			Shanks		X	
Hawtree		X		Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett		X		Sykes		X	
Jones		X		C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls		X	
Lepper	√			Wells		X	
Littman		X		West		X	
MacCafferty		X		Wilson	√		
				Total	15	35	

76.49 The Mayor confirmed that the motion was **lost** by 15 votes to 35 votes.

76.50 The Mayor confirmed that the Labour & Co-operative Group's amendments No's. 1 and 2 had been carried and that amendment No's.4, 5, 6 and 7 had been lost; with amendment No.3 being withdrawn.

76.51 The Mayor then asked the Executive Director for Finance & Resources to confirm the budget position.

76.52 The Executive Director for Finance & Resources confirmed that there was a need for a minor amendment to the council tax resolution as set out on page 339 of the agenda in

view of the three amendments being carried. The change resulted in the figures in paragraph 3(a) and (b) being increased to £719,407,474 and £612,549,549 respectively. These changes needed to be taken into account by Members prior to their vote on the substantive budget.

76.53 The Mayor then asked for the electronic voting system to be activated and put the recommendations affecting the General Fund and Revenue Budget 2014/15 as amended to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden		X		Mears		X	
Brown		X		Mitchell	√		
Buckley		X		Morgan	√		
Carden	√			A Norman		X	
Cobb			∅	K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips		X	
Davey		X		Pidgeon - absent			
Deane		X		Pissaridou	√		
Duncan		X		Powell		X	
Farrow	√			Randall		X	
Fitch	√			Robins	√		
Gilbey	√			Rufus		X	
Hamilton	√			Shanks		X	
Hawtree		X		Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers		X	
Jarrett		X		Sykes		X	
Jones		X		C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield		X	
J Kitcat		X		Wealls		X	
Lepper	√			Wells		X	
Littman		X		West		X	

MacCafferty		X			Wilson	√		
					Total	14	35	1

76.54 The Mayor confirmed that the motion had been **lost** by 14 votes to 35 votes with 1 abstention.

76.55 The Mayor stated that in view of the substantive General Fund Revenue Budget & Council Tax 2014/15 motion being lost, she proposed to adjourn the meeting for an hour in order to enable the respective Leaders and their Groups to discuss matters and seek a way forward. The Mayor then adjourned the meeting at 8.10pm.

76.56 The Mayor reconvened the meeting at 10.30pm and apologised for the delay. She then called on Councillor J. Kitcat.

76.57 Councillor Kitcat moved a motion to adjourn the meeting under procedural rule 15.3.

76.58 Councillor Davey formally seconded the motion.

76.59 Councillor Morgan asked for a point of clarification in regard to the business before the meeting and how it would be dealt with.

76.60 The Monitoring Officer stated that following the approval of the adjournment motion under procedural rule 15.3; the meeting was effectively closed and the business adjourned to the next meeting of the council, which could then be the next ordinary meeting or a special meeting called with the agreement of the Mayor and/or Chief Executive. He noted that the council had a duty to set the council tax by the 11th March 2014 and therefore it was likely that a further meeting of the council would be called before that deadline.

76.61 The Mayor then asked for the electronic voting system to be activated and put the motion to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett		X			Marsh	√	
Bennett - absent					Meadows	√	
Bowden	√				Mears		X
Brown		X			Mitchell	√	
Buckley	√				Morgan	√	
Carden	√				A Norman		X
Cobb		X			K Norman		X

Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan	√			Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		
Hamilton	√			Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett	√			Sykes	√		
Jones	√			C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat - absent				Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper	√			Wells		X	
Littman	√			West	√		
MacCafferty	√			Wilson	√		
				Total	34	16	

76.62 The Mayor confirmed that the motion to adjourn the meeting had been **carried** by 34 votes to 16 votes.

76.63 **RESOLVED:** That the meeting be adjourned.

80. SUPPLEMENTARY FINANCIAL INFORMATION FOR BUDGET COUNCIL 2014

80.1 The item was taken into consideration as part of the overall budget debate and included in the vote on the General Fund Revenue Budget and Council Tax for 2014/15 as detailed under Item 79 above.

81. CAPITAL RESOURCES AND CAPITAL INVESTMENT PROGRAMME 2014/15

81.1 The item was taken into consideration as part of the overall budget debate as detailed under Item 79 above and following the decision to adjourn meeting was not voted on but deferred to the next meeting of the council.

82. HOUSING REVENUE ACCOUNT BUDGET 2014/15

82.1 The item was taken into consideration as part of the overall budget debate as detailed under Item 79 above and following the decision to adjourn meeting was not voted on but deferred to the next meeting of the council.

83. CLOSE OF MEETING

83.1 The Mayor then closed the meeting.

The meeting concluded at 10.35pm

Signed

Chair

Dated this

day of

2014

BRIGHTON & HOVE CITY COUNCIL**BUDGET COUNCIL****6.00pm 5 MARCH 2014****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Cobb (Chair), Randall (Deputy Chair), Barnett, Bennett, Bowden, Buckley, Carden, Cox, Daniel, Davey, Deane, Duncan, Farrow, Fitch, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, A Kitcat, J Kitcat, Lepper, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pissaridou, Powell, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson.

PART ONE**84. DECLARATIONS OF INTEREST**

- 84.1 The Mayor noted that as it was a separate meeting to the previous Budget Council on the 27th February, those Members wishing to declare an interest should do so again in respect of the budget reports before the Council for consideration at the present meeting.
- 84.2 Councillor Davey declared a pecuniary interest in Item 86, General Fund Revenue Budget & Council Tax 2014/15, for which he had been granted dispensation, as his wife worked in the Adult Social Care.
- 84.3 Councillor Hamilton declared a personal and non-prejudicial interest in Item 79, General Fund Revenue Budget & Council Tax 2014/15 as his daughter worked part-time for the council.
- 84.4 Councillor Powell declared a personal and non-prejudicial interest in item 79, General Fund Revenue Budget & Council Tax 2014/15 as she worked for Brighton & Hove Federation for Disabled; and was an active Unison Member all of which were affected by the budget proposals.
- 84.5 Councillor C. Theobald declared a personal and non-prejudicial interest in Item 79, General Fund Revenue Budget & Council Tax 2014/15 as she was the president of Mencap, Brighton & Hove

84.6 Councillor Janio declared a personal and non-prejudicial interest in Item 79, General Fund Revenue Budget & Council Tax 2014/15 as his wife held a Trader's Permit, which was affected by the budget proposals.

84.7 The Mayor noted that there were no other declarations of interests in matters appearing on the agenda.

85. MAYOR'S COMMUNICATIONS.

85.1 The Mayor stated that Procedural Rules would need to be suspended for Items 86 to 89 to the extent necessary to enable the business to be dealt with as set out in the procedural note circulated as part of the addendum. She was also minded to use the electronic voting system only for the vote on the amendments and the substantive budget as had been the case at the meeting the previous week. The vote of each individual councillor would be recorded in the minutes to comply with the new regulations and she hoped Members would agree that the use of electronic voting or recorded votes would not be necessary for other purposes.

85.2 The Mayor stated that before she moved the adoption of the budget procedural rules for the present meeting, she wished to remind Members that there was a legal duty on the Council to set a budget for the 2014/15 financial year. This positive duty to set a budget meant that the normal rule whereby, if the Council fails to agree a proposal, the status quo prevails, was not an option. She hoped that the council would be able to set a lawful budget in the first round this evening. In the unlikely event of Council failing to agree the substantive budget in the first round of votes, there would be an adjournment and any Political Group or Groups would be able to put alternative amendments. For the purposes of today, the requirement under procedure rule 13.7 which states that Council cannot reverse a decision taken in the previous 6 months shall not apply.

85.3 The Mayor stated that the proposed special budget procedure rules were detailed in the papers before Members and she then moved that the Council procedure rules be suspended to the extent necessary to enable the meeting to be conducted under the rules as modified by the annexe and the procedural note as circulated.

85.4 The motion was **carried**.

86. GENERAL FUND REVENUE BUDGET & COUNCIL TAX 2014/15

86.1 The Mayor noted that all three budget areas listed as Items 86, 87 and 89, along with Item 88 Supplementary Financial Information, had been fully debated at the previous Budget Council meeting on the 27th February. She therefore stated that having received notification of two amendments in relation to the General Fund Revenue Budget & Council Tax, she proposed that these should be moved and seconded without any further debate, following which she would put the amendments to the vote prior to moving to the votes on the substantive items. The Mayor then invited Councillor J. Kitcat to propose the Administration's budget for 2014/15, along with the Green Group's amendment.

86.2 Councillor Kitcat stated that he wished to thank all the officers involved in enabling the council to reach the current position and to be able to consider the budget proposals for

2014/15. He stated that he wished to move an amendment on behalf of the Green Group which would enable a council tax increase of 4.75% and trigger a referendum. The council faced a very difficult situation having previously approved a council tax freeze last year; it could only increase council tax by 1.99% without having to hold a referendum. However, that was not sufficient to enable the services expected by residents to be maintained and supported and would result in significant changes to how services were provided should the council decide not to accept the Green amendment. He believed that a decision to increase council tax by 4.75% would stimulate debate and enable an open and honest discussion to be held so that residents could then take a democratic decision. He also hoped that the parties represented on the council would be able to come together for the benefit of the city and work together towards next year's budget which was likely to be an even more difficult process.

86.3 Councillor Davey formally seconded the amendment.

86.4 The Mayor then invited Councillor J. Kitcat to move the joint Green, Conservative and Labour & Co-operative Groups' amendment.

86.5 Councillor Kitcat formally moved the joint amendment and stated that he was pleased to see that the three Groups had been able to come to a consensus for the amendment.

86.6 Councillor G. Theobald formally moved and seconded the joint amendment and stated that the Conservative Group could not support the Green Group's amendment. The Conservative Group believed that a council tax freeze could be achieved and with it services provided to meet the needs of the city. He did not believe that a referendum would result in support for a council tax increase and noted that the government grant of £1.2m would be built into future grant provision should a council tax freeze be approved. He therefore wished to urge the council to approve a council tax freeze.

86.7 Councillor Morgan formally moved and seconded the joint amendment and noted that there had been a great deal of time spent on debating the merits of a council tax freeze and an increase. He hoped that an agreement would be reached at the present meeting and an increase of 1.99% approved as it was the right thing to do.

86.8 The Mayor then asked for the electronic voting system to be activated and put the Green amendment to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh		X	
Bennett		X		Meadows		X	
Bowden	√			Mears		X	
Brown – absent				Mitchell		X	
Buckley	√			Morgan		X	
Carden		X		A Norman		X	
Cobb		X		K Norman		X	

Cox		X		Peltzer Dunn		X	
Daniel		X		Phillips	√		
Davey	√			Pidgeon – absent			
Deane	√			Pissaridou		X	
Duncan	√			Powell	√		
Farrow		X		Randall	√		
Fitch		X		Robins		X	
Gilbey		X		Rufus	√		
Hamilton		X		Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett	√			Sykes	√		
Jones - absent				C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat	√			Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper		X		Wells		X	
Littman - absent				West	√		
MacCafferty	√			Wilson		X	
				Total	19	30	

86.9 The Mayor confirmed that the motion had been **lost** by 19 votes to 30 votes.

86.10 The Mayor then put the Green, Conservative and Labour & Co-operative Groups' joint amendment to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh	√		
Bennett	√			Meadows	√		
Bowden	√			Mears	√		
Brown - absent				Mitchell	√		
Buckley	√			Morgan	√		

Carden	√			A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel	√			Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan	√			Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		
Hamilton	√			Shanks	√		
Hawtree	√			Simson	√		
Hyde				Smith	√		
Janio	√			Summers	√		
Jarrett	√			Sykes	√		
Jones - absent				C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat	√			Wakefield	√		
J Kitcat	√			Wealls	√		
Lepper	√			Wells	√		
Littman - absent				West	√		
MacCafferty	√			Wilson	√		
				Total	49	0	0

86.11 The Mayor confirmed that the amendment had been **carried** by 49 votes to 0 votes.

86.12 The Mayor then put the recommendations affecting the General Fund and Revenue Budget 2014/15 as amended to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett		X		Meadows	√		
Bowden	√			Mears		X	

Brown - absent				Mitchell	√		
Buckley			∅	Morgan	√		
Carden	√			A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips		X	
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan		X		Powell			∅
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		
Hamilton	√			Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett			∅	Sykes	√		
Jones – absent				C Theobald		X	
Kennedy – absent				G Theobald		X	
A Kitcat	√			Wakefield		X	
J Kitcat	√			Wealls		X	
Lepper	√			Wells		X	
Littman - absent				West	√		
MacCafferty		X		Wilson	√		
				Total	26	20	3

86.13 The Mayor confirmed that the motion had been **carried** by 26 votes to 20 votes with 3 abstentions.

86.14 **RESOLVED:**

- (1) That the core elements of the 2014/15 General Fund Revenue Budget proposals contained in the body of this report which have been based on a threshold council tax increase, subject to recommendation (4) below, be approved, including (i) – (ix) and the amended resolution (x) below:

- (i) The 2014/15 budget allocations to services as set out in appendix 1.
- (ii) The council's net General Fund budget requirement for 2014/15 of £225.3m.
- (iii) The budget savings package as set out in appendix 4.
- (iv) The contingency budget of £4.37m as set out in table 8.
- (v) The reserves allocations as set out in paragraph 3.39 and table 6.
- (vi) The borrowing limit for the year commencing 1 April 2014 of £380m.
- (vii) The annual Minimum Revenue Provision statement as set out in appendix 10.
- (viii) The Prudential Indicators as set out in appendix 11 to this report.
- (ix) The proposed responses to the scrutiny recommendations as set out in appendix 16.
- (x)

BUDGET COUNCIL 5 MARCH 2014 - AMENDED RESOLUTION

General Fund Revenue Budget 2014/15

Formal Council Tax Resolution

- 1 That it be noted that at on 16 January 2014 the Council calculated the Council Tax Base 2014/15
- (a) for the whole Council area as 81,359.20 (Item T in the formula in Section 31B of the Local Government Finance Act 1992 (the "Act")); and
- (b) for dwellings in those parts of its area to which special items relate: -
- Rottingdean Parish – 1,467.50
- Hanover Crescent Enclosure – 40.70
- Marine Square Enclosure – 65.40
- Royal Crescent Enclosure – 30.10
- 2 Calculate that the Council Tax requirement for the Council's own purposes for 2014/15 (excluding Parish precepts) is £106,816,000
- 3 That the following amounts be calculated for the year 2014/15 in accordance with Sections 31 to 36 of the Act:
- (a) £719,403,474 being the aggregate of the amounts which the Council estimates for the items

set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.

- (b) £612,545,549 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) £106,857,925 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (d) £1,313.41 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts)
- (e) £67,490 being the aggregate amount of all special items referred to in Section 34(1) of the Act
- (f) £1,312.58 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relates
- (g) Parts of the Council's area
- | | |
|-----------|--------------------|
| £1,341.15 | Rottingdean Parish |
| £1,492.85 | Hanover Crescent |
| £1,479.20 | Marine Square |
| £1,556.13 | Royal Crescent |

being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the relevant amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for the dwellings in those parts of its area to which one or more special items relate

Valuation Band: Parts of the Council's area	A* £	A £	B £	C £	D £	E £	F £	G £	H £
Rottingdean Parish	745.08	894.10	1,043.12	1,192.13	1,341.15	1,639.18	1,937.22	2,235.25	2,682.30
Hanover Crescent	829.36	995.23	1,161.11	1,326.98	1,492.85	1,824.59	2,156.34	2,488.08	2,985.70
Marine	821.7	986.13	1,150.4	1,314.8	1,479.2	1,807.91	2,136.6	2,465.3	2,958

Square	8		9	4	0		2	3	.40
Royal Crescent	864.5	1,037.4	1,210.3	1,383.2	1,556.1		2,247.7	2,593.5	3,112
All other parts of the the councils area	2	2	2	3	3	1,901.94	4	5	.26
	729.2		1,020.9	1,166.7	1,312.5		1,895.9	2,187.6	2,625
	1	875.05	0	4	8	1,604.26	5	3	.16

* Entitled to disabled relief

4

To note that the Police and Crime Commissioner and the Fire Authority have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below.

Band:	A*	A	B	C	D	E	F	G	H
Sussex Police & Crime Commissioner	78.40	94.08	109.76	125.44	141.12	172.48	203.84	235.20	282.24

* Entitled to disabled relief

Band:	A*	A	B	C	D	E	F	G	H
East Sussex Fire Authority	46.36	55.63	64.91	74.18	83.45	101.99	120.54	139.08	166.90

* Entitled to disabled relief

5

That the Council, in accordance with Section 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2014/15 for each part of its area and for each of the categories of dwellings.

Valuation Band: Parts of the Council's area	A*	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Rottingdean Parish	869.84	1,043.81	1,217.79	1,391.75	1,565.72	1,913.65	2,261.60	2,609.53	3,131.44
Hanover Crescent	954.12	1,144.94	1,335.78	1,526.60	1,717.42	2,099.06	2,480.72	2,862.36	3,434.84
Marine Square	946.54	1,135.84	1,325.16	1,514.46	1,703.77	2,082.38	2,461.00	2,839.61	3,407.54
Royal Crescent	989.28	1,187.13	1,384.99	1,582.85	1,780.70	2,176.41	2,572.12	2,967.83	3,561.40
All other parts of the the councils area	853.97	1,024.76	1,195.57	1,366.36	1,537.15	1,878.73	2,220.33	2,561.91	3,074.30

* Entitled to disabled relief

6

Pursuant to Section 52ZB of the Local Government Finance Act 1992 the Council

determines that its relevant basic amount of council tax for the financial year 2014/15 is not excessive as measured against the principles determined by the Secretary of State pursuant to section 52ZC of the 1992 Act.

(2) That the Equalities Impact Assessments set out in Appendix 13 to the report be noted;

- (3) That the revised Medium Term Financial Strategy and resource projections for 2014/15 to 2019/20 as set out in appendix 8 to the report be noted;
- (4) That it be noted that supplementary information needed to set the overall council tax will be provided for the budget setting Council as listed in paragraph 4.4 of the report; and
- (5) **That for the purposes of enacting the Business Rates discount and relief changes announced in the government's Autumn Statement 2013, delegated authority be granted to the Executive Director of Finance & Resources to design and administer the scheme in accordance with government guidelines as set out in paragraph 3.17 of the report.**

87. SUPPLEMENTARY FINANCIAL INFORMATION FOR BUDGET COUNCIL 2014

- 87.1 The Mayor noted that Item 87 had been taken with Item 86 for the purposes of approving the General Fund Revenue Budget & Council Tax 2014/15 and the resolution was as set out under Item 86 (above).

88. CAPITAL RESOURCES AND CAPITAL INVESTMENT PROGRAMME 2014/15

- 88.1 The Mayor then asked for the electronic voting system to be activated and put the recommendations affecting the Capital Resources and Capital Investment Programme 2014/15 to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett		X		Meadows	√		
Bowden	√			Mears		X	
Brown - absent				Mitchell	√		
Buckley	√			Morgan	√		
Carden	√			A Norman		X	
Cobb			∅	K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan	√			Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		

Hamilton	√			Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett	√			Sykes	√		
Jones – absent				C Theobald		X	
Kennedy – absent				G Theobald		X	
A Kitcat	√			Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper	√			Wells		X	
Littman - absent				West	√		
MacCafferty	√			Wilson	√		
				Total	33	15	1

88.2 The Mayor confirmed that the motion had been **carried** by 33 votes to 15 with one abstention.

88.3 RESOLVED:

- (1) That the Capital Investment Programme for 2014/15 in Appendix 1 to the report be approved;
- (2) That the estimated capital resources in future years as detailed in Appendix 1 to the report be noted;
- (3) That the allocation of £0.25m resources in 2014/15 for the Strategic Investment Fund for the purposes set out in paragraph 3.15 of the report be approved;
- (4) That the allocation of £2.0m for the ICT fund be approved;
- (5) That the allocation of £1.0m for the Asset Management Fund be approved; and
- (6) That the proposed use of council borrowing as set out in paragraph 3.31 and appendix 3 to the report be approved.

89. HOUSING REVENUE ACCOUNT BUDGET 2014/15

88.1 The Mayor then asked for the electronic voting system to be activated and put the recommendations affecting the Housing Revenue Account Budget 2014/15 to the vote.

	For	Again	Abstai		For	Again	Abstai
--	-----	-------	--------	--	-----	-------	--------

		st	n			st	n
Barnett		X		Marsh	√		
Bennett		X		Meadows	√		
Bowden	√			Mears		X	
Brown - absent				Mitchell	√		
Buckley	√			Morgan	√		
Carden	√			A Norman		X	
Cobb			∅	K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan	√			Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		
Hamilton	√			Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio		X		Summers	√		
Jarrett	√			Sykes	√		
Jones – absent				C Theobald		X	
Kennedy – absent				G Theobald		X	
A Kitcat	√			Wakefield	√		
J Kitcat	√			Wealls		X	
Lepper	√			Wells		X	
Littman - absent				West	√		
MacCafferty	√			Wilson	√		
				Total	33	15	1

88.2 The Mayor confirmed that the motion had been **carried** by 33 votes to 15 with one abstention.

88.3 RESOLVED:

- (1) That the budget for 2014/15 as shown in Appendix 1 to the report according to the final year of rent convergence to be confirmed by the government in its rent restructuring guidance for 2014/15 be approved;
- (2) That individual rent increases and decreases in line with rent restructuring principles as determined by the Government and detailed in paragraphs 3.12 to 3.16 in the report and according to the final year of rent convergence to be confirmed by government in its rent restructuring guidance for 2014/15 be approved;
- (3) That the changes to fees and charges as detailed in Appendix 2 to the report, subject to the mobility scooter storage charge being set at £3.00 per week rather than £4.00 be approved; and
- (4) That the new service charges outlined in Appendix 2 to the report, subject to the revision in (3) above, including the phased implementation of the new Intensive Housing Management charge be approved; and
- (5) That the Equalities Impact Assessment shown in appendix 3 to the report be noted.

90. CLOSE OF MEETING

90.1 The Mayor thanked everyone for attending and closed the meeting.

The meeting concluded at 6.35pm

Signed

Chair

Dated this

day of

2014

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 written question has been received from a member of the public.

(a) Mr. M. Jones

“Councillors pleased families with disabled children by their recent understanding that reducing inequality for disabled, unlike other minorities, is not mainly done in the head and the heart but also needs funding.

However I feel ashamed that unlike other equality resorts we’ve built marinas, banks to avoid naturists, cycle lanes, numerous amenities and next a flying 360 donut yet the whole seafront is bereft of any ramp to the sea to simply dip feet and wheels.

Does Mr. Kitcat share my shame that after 200 years the city has not given this basic, affordable reasonable, right to the wheelchair minority?”

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 depositions 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 one Deputation has been received. The spokesperson is entitled to speak for 5 minutes.

Deputation concerning Hove Park Ward Neighbourhood Forum**(Spokesperson) – Mr. C. Hancox**

“As the chairman of the proposed Hove Park Ward Neighbourhood Forum I am confirming that we have applied to the council for the approval of the establishment of our Forum and our designated Neighbourhood Area.

We understand that the economic and culture committee intends to consider applications for the establishment of the Hove Station Neighbourhood forum and the Hove Station Designated Neighbourhood Area as well as the Hove Park Ward Forum and Designated Area at their June Meeting.

We will be asking the committee to reject the application of the proposed Hove Station forums area as it includes part of the proposed Hove Park Ward Forum’s area, for the following reasons.

1. The Hove Station and Hove Park Ward areas are wholly different in that the station area is mainly a Victorian and Edwardian city-centre neighbourhood whereas the Hove Park Ward area is mainly a inter-war and post-war suburban neighbourhood.
2. The two areas are geographically wholly separate from each other due to the separating effect of the railway: presumably the reason why the boundary commission fixed the boundary on this alignment.
3. The Hove Station Forum held a public meeting on 17th January 2014, where a substantial number of Hove Park Ward residents attending emphasised that they did not wish to be included in the Hove Station Forum Area and were establishing a forum for their own area.
4. The recently formed Hove Park Ward Neighbourhood Forum now has over 300 members from within the area. The Hove Station forum (formed 2012) has a membership from approx 62 properties, almost all resident from outside the boundaries of Hove Park Ward, yet wish to include a substantial part of Hove Park Ward Area within their proposed designated area which is contrary to the spirit of the Localism Act 2011 which seeks to promote direct neighbourhood representation on the local forum.”

Reply from Councillor J. Kitcat, Leader of the Council

Council	Agenda Item 97(a)
27 March 2014	Brighton & Hove City Council

PETITION TRIGGERING FULL DEBATE

CONSERVATIVE GROUP AMENDMENT

FREE SUNDAY PARKING

Amend recommendation 2.1 as shown in bold italics:

RECOMMENDATIONS

- 2.1 That the petition is referred to the Policy & Resources Committee for consideration ***accompanied by a full officer report on the proposal, including an estimate of the costs of partial or full implementation of free Sunday parking and an impartial assessment of the advantages and disadvantages.***

Proposed by: Cllr. Cox

Seconded by: Cllr. A. Norman

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions have been received from Councillors and will be taken as read along with the written answers which will be included in an addendum that will be circulated at the meeting:

(a) Councillor Janio

“Following the Electoral Commission review of electoral fraud, will the Leader of the Council be encouraging the Leaders of all political parties to sign up to its recommendations, especially those related to postal votes?”

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

“The Electoral Commission has published a Code of Conduct for campaigners which covers postal votes:

http://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/154176/Code-of-conduct-campaigners-2013.pdf

The code has been agreed with parties at the national level.

The Regional Returning Officer will be drawing attention to the code in his briefings for candidates and agents at the European Elections. The Local Returning Officer will also reinforce the code in Brighton & Hove.”

(b) Councillor Simson

“Whilst travelling around the city recently, I have noticed a very large number of trees being felled; often those that are well established or older and in one case what appeared to be a whole row of trees in one road. Bearing in mind that residents often have to apply for planning permission to carry out such an operation, could Cllr West please reassure us that this cull of trees is entirely necessary and that all checks and consultations are carried out before work is even considered.”

Reply from Councillor West, Chair of the Environment, Transport & Sustainability Committee.

“All our city’s trees are regularly inspected, and remedial arboricultural works are allocated to those that need them. A large majority of the city’s trees are of an ageing stock and are succumbing to decay fungus, which can result in mechanical failure of the stem base or root plate and sadly results in their loss.

For example it was sadly necessary to fell four trees in Clermont Road following an inspection which found they were either dead or colonised by the decay fungus Ganoderma.

February meant that a high number of our trees have suffered wind throw and root plate movement rendering them either unstable or requiring heavy pruning.

When significant trees are to be felled officers normally let ward councillors know before works commence. In emergency situations it is not always possible to inform ward councillors in advance of taking any action. However, a system has been put in place to advise ward councillors when prominent trees or a large number of trees in one location are to be felled.

I'm sure residents will want reassurances that where trees are found to pose a risk to people, property, or other trees, our officers act to make them safe. Where possible lost trees are replaced through our replacement programme, which plants hundreds of new trees a year. This budget was maintained as part of the 2014/15 budget-setting process, so we hope to continue this important work to support biodiversity, clean up the air we breathe and improve our streets."

Council

27 March 2014

Agenda Item 101

Brighton & Hove City Council

Subject: Pay Policy Statement 2014-15 - Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 27 March 2014

Date of Meeting: 27 March 2014

Report of: Head of Law

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

Wards Affected: All

FOR GENERAL RELEASE***Action Required of the Council:***

To receive the item referred from the Policy & Resources Committee for approval:

Recommendation:

That the Council adopt the pay policy statement 2014/15 attached at Appendix A to the report.

POLICY & RESOURCES COMMITTEE

4.00 pm 20 March 2014

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

Present: Councillor J Kitcat (Chair); Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Morgan (Group Spokesperson), Davey, Hamilton, Lepper, A Norman, Peltzer Dunn, and Shanks.

PART ONE**145 PAY POLICY STATEMENT 2014-15**

145.1 The Executive Director for Finance & Resources introduced the report which detailed the council's pay policy for 2014/15 as required by the Localism Act 2011. She stated that there had been no significant changes to the policy since its last publication in 2013 and therefore recommended it to the committee.

- 145.2 Councillor Littman welcomed the report and stated that he wished to thank the officers involved in producing the policy and noted that it continued to support the drive for value for money.
- 145.3 Councillor G. Theobald welcomed the transparency that the pay policy provided and stated that the public had a right to know the information detailed in the policy. However, he remained concerned that Members were not given the opportunity to vote on the levels of redundancy and severance packages above £100k which was outlined in the Government's Guidance that related to Section 40 of the Localism Act 2011. He also referred to pages 34 and 35 of the agenda and queried whether all professional fees were paid for those officers in the organisation that were required to maintain their professional qualification.
- 145.4 The Monitoring Officer stated that the question of salaries over £100k being determined by all Members was only guidance and was not a mandatory requirement. Having looked at a number of other authorities none had been found which complied with the guidance. The Council's Appointments Panel for senior officers had been established so that it could consider the level of remuneration to be offered and then recommend that to full council for approval. He also noted that the council was obliged to publish the salary details of senior and second tier officers and the use of the Appointments Panel reflected best practice.
- 145.5 The Executive Director for Finance & Resources stated the payment of professional fees differed across the organisation for various reasons and she would provide Councillor Theobald with further information following the meeting.
- 145.6 The Chair noted the comments and put the recommendation to the vote which was carried.
- 145.7 **RESOLVED TO RECOMMEND:** That the Council be recommended to approve the adoption of the pay policy statement 2014/15 attached at Appendix A to the report.

Council	Agenda Item 101
27 March 2014	Brighton & Hove City Council

ERRATUM - AGENDA ITEM 101

PAY POLICY STATEMENT

Delete the third paragraph in section 8 and the second paragraph in section 9 of the draft Pay Policy Statement as indicated on the attached.

Note:

Following a meeting of the Policy & Resources Committee on 20th March, the Executive Leadership Team discussed the references in paragraphs 8 and 9 of the draft Pay Policy Statement to the reimbursement of professional association fees and fees for local authority association membership. No conscious decision had been taken to retain the reimbursement fees based solely on the position of the individuals in the organisation. As this does not reflect the true intention, it was an error and it was therefore agreed to delete the paragraphs.

This means:

- § There will be no entitlement to membership fees just because the officer concerned is a Chief Executive or an Executive Director
- § Corporate membership, as opposed to individual personal membership is not affected
- § There will be a review of arrangements for the payment of fees in respect of membership of associations or professions.

Replace the reference at the end of paragraph 4 to “paragraph 17” by a reference to “paragraph 18” as shown on the attached.

Council

27 March 2014

Agenda Item 101

Brighton & Hove City Council

Subject:	Pay Policy Statement 2014/15		
Date of Meeting:	27th March 2014 20 th March 2014 – Policy & Resources Committee		
Report of:	Executive Director of Finance & Resources		
Contact Officer:	Name:	Matt Naish	Tel: 29-5088
	Email:	matt.naish@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The Localism Act 2011 requires local authorities to produce a pay policy statement to be approved by Council annually before the start of the financial year to which it relates. The aim is to increase accountability, transparency and fairness in the setting of local pay. These statements must set out the council's policies on a range of issues relating to the pay of its workforce, particularly its senior and lowest paid staff. The provisions in the Act do not seek to determine what decisions on pay should be taken or what policies should be in place, but require councils to be more open about their policies and how decisions are made
- 1.2 This report seeks approval of the Policy & Resources Committee to recommend to Council the attached pay policy statement for adoption from 1st April 2014

2. RECOMMENDATIONS:

- 2.1 That Policy & Resources Committee recommends to Council the adoption of the pay policy statement 2014/15 attached at Appendix A

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Localism Act 2011 requires local authorities to produce annual pay policy statements prior to the year to which they relate. Attached at Appendix A is the Council's third such statement. The council may amend its statement by resolution of Council if required during the year to which it relates. Schools' staff fall outside the scope of this legislation. Individual governing bodies are responsible for setting and updating their own Schools' Pay Policy each year.
- 3.2 Chief officers, for the purpose of this legislation, are those who report to the Chief Executive and those who report to posts reporting to the Chief Executive i.e. deputy chief officers.
- 3.3 The statement must provide a definition of lowest-paid employees adopted by the council for the purposes of the statement and it must include the council's policies relating to the remuneration of chief officers, payments to chief officers

on leaving and the publication of information on the remuneration of chief officers.

- 3.4 The Department for Communities and Local Government guidance, 'Openness and Accountability in Local Pay', states that Members should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment. The Secretary of State considers the appropriate threshold to be £100,000. The 2014/15 statement continues the arrangements established for the 2013/2014 Statement which placed responsibility for advising on remuneration for such posts with the Appointments and Remuneration Panel.
- 3.5 Supplementary Guidance published in February 2013 recommends greater scrutiny and accountability for decisions made to offer large severance packages. Again the recommended threshold for Member involvement is set at £100,000 and states that all components of such packages e.g. pay in lieu of salary, redundancy payments, pension entitlements, holiday pay and any other fees or allowances are clearly set out. The attached pay policy statement provides that such cases will be referred to the Appointments and Remuneration Panel for consideration and recommendation to the Chief Executive. All other severance packages are considered and agreed by an officer compensation panel comprising the Head of Human Resources, the Monitoring Officer and the s151 Officer (or their delegates). The council's external auditors are also consulted about the value for money of any potential offers to Chief Officers.
- 3.6 The Act does not require specific numerical data on pay and reward to be published as part of a council's pay policy statement. However, the guidance suggests that consideration be given to how the pay policy statement fits with data on pay and reward that councils are already required to publish under the Code of Recommended Practice for Local Authorities on Data Transparency and by the Accounts and Audit (England) Regulations 2011.
- 3.7 The Act requires authorities to explain what they think the relationship should be between the remuneration of its chief officers and its employees who are not chief officers. The pay multiple is calculated using the median pay of all employees within the scope of the Pay Policy Statement as a multiple of the Chief Executive's salary. This method is in line with the Hutton report on Fair Pay, which is referred to in the 'Openness and Accountability in Local Pay' guidance. The pay multiple will continue to be published on the Council's website.
- 3.8 The salary package for the Chief Executive remained the same in the past year. However the Living Wage for council employees will increase from £7.45 to £7.65 per hour with effect from 1st April 2014.
- 3.9 The pay policy statement provides links to our existing policies on redundancy, retirement and other compensation payments. These policies set out who is responsible for decisions on such payments. It is the council's policy that employees who accept a financial package on voluntary termination of their employment with the council are not re-employed or engaged as a self employed contractor or through an agency for a minimum period of two years.

- 3.10 The pay policy statement excludes all schools based staff including Headteachers.
- 3.11 The pay policy statement, when published on our website, will contain hyperlinks to related information.
- 3.12 The pay policy 2014/15 contains an additional paragraph (14) relating to the council's new allowance and expenses scheme for those employees on NJC terms and conditions. Additional detail is also given around the councils travel expenses scheme. These are the only changes since publication last year.
- 3.13 The pay multiple is calculated using the definition contained in the Code of Recommended Practice for Local Authorities on Data Transparency i.e. the ratio between the highest paid employee and the median salary of the whole of the authority's workforce (excluding school staff) was 6.1:1 for the last financial year.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The Pay Policy Statement is a statutory publication and we are therefore obliged to publish it. Consideration has been given to the levels of transparency contained within the report, but the conclusion reached is that the detail is in compliance with guidance issued on this subject.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The purpose of this pay policy statement is to provide transparency on how local decisions on pay are made

6. CONCLUSION

- 6.1 It is a requirement of the Localism Act 2011 that members are consulted prior to the publication of the Pay Policy Statement. It is therefore recommended that Policy and Resources approve this report and make the recommendation to members to approve the Pay Policy Statement 2014/15

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The annual pay policy statement supports good governance and allows benchmarking comparisons with other local authorities to assess Value for Money. The pay assumptions within the budget for 2014/15 are consistent with this policy including provision for the Living Wage to increase to £7.65 per hour from 1st April 2014.

Finance Officer Consulted: James Hengeveld – Head of Finance Date: 14/02/14

Legal Implications:

- 7.2 The proposed Pay Policy Statement complies with the requirements of s38 Localism Act 2011 and has taken into account associated guidance. The proposed Statement is also consistent with existing Data Protection and

Employment legislation. As set out in the report, it is a requirement of the Localism Act that the Pay Policy Statement is approved by Full Council

Lawyer Consulted: Elizabeth Culbert

Date: 30/01/2014

Equalities Implications:

- 7.3 The publication of a pay policy statement increases transparency over pay and promotes fairness.

Sustainability Implications:

- 7.4 None

Any Other Significant Implications:

- 7.5 The pay policy statement provides local taxpayers with information on how the council makes local decisions on pay and thus provides greater openness and transparency to assist the public to assess value for money.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 Other Significant Implications
2. Appendix 2 Pay Policy Statement 2014/15

Documents in Members' Rooms

None

Background Documents

1. The Localism Act 2011
2. Openness and accountability in local pay: Guidance under section 40 of the Localism Act
3. Openness and accountability in local pay: Guidance under section 40 of the Localism Act Supplementary Guidance February 2013
4. Code of Recommended Practice for Local Authorities on Data Transparency
5. Hutton Review of Fair Pay in the Public Sector 2011

Other Significant Implications:

Crime & Disorder Implications:

1.1 None

Risk and Opportunity Management Implications:

1.2 The provision of this pay policy statement provides greater transparency to enable the public to understand and challenge local decisions of pay and reward of the council's workforce.

Public Health Implications:

1.3 None

Corporate / Citywide Implications:

1.4 The pay policy statement provides local taxpayers with information on how the council makes local decisions on pay and thus provides greater openness and transparency to assist the public to assess value for money

Brighton & Hove City Council Pay Policy Statement 2014/15

1 Aim

Brighton & Hove City Council wants to ensure that the City and its residents receive high quality services and excellent value for money. In the context of managing scarce resources, pay levels need to be set at a level that will enable the council to attract and retain high calibre individuals without being overly generous or imprudent with public funds.

To achieve this, the council requires a workforce at all levels that is conscientious, professional and reliable and which has the relevant up-to-date skills and knowledge to deliver high quality services to the residents of and visitors to Brighton and Hove.

The council depends on a high calibre senior management team able to provide leadership and to work in close partnership with other private, public and voluntary agencies across the City. The senior team need to work with partners to assess and understand the level of need across the City and to commission and deliver services. At the same time they need to be able to lead change programmes and reduce costs to deliver better outcomes for customers. An innovative, skilled and experienced workforce is vital to the delivery of our vision and this is at the heart of our pay policy. This principle applies from the lowest to highest paid employee.

Whilst recognising the market rates for pay, the council seeks to ensure that pay policies are based on fairness and equality and allow the workforce to live healthy and happy lives. The council has introduced the national 'Living Wage' and is working to reduce the pay gap between the highest and the lowest paid. The pay multiple between the Chief Executive and the median earnings of the rest of the workforce will be published annually on the council's website.

2 Scope

This document complies with our statutory responsibility to produce a pay policy statement annually pursuant to s38(1) of the Localism Act 2011. This policy statement requires approval by full council. The council wishes to ensure that local taxpayers are able to take an informed view on all aspects of the council's remuneration arrangements and the pay policy statement will be published on the council's website.

The statement applies to all employees of the council and 'casual workers', except for those staff based in schools and apprentices throughout the council.

3 Definitions

Brighton & Hove City Council defines its lowest paid employees as those who are paid on the lowest spinal column point of our [grading structure](#). This is the national 'Living Wage' and is applied to casual workers as well as employees. A full time post is based on a 37 hour week. Chief Officers are defined as those who report directly to the Chief Executive. In Brighton & Hove these are currently the members of the Executive Leadership Team. Those who report to the Executive Leadership Team, for the purpose of this policy statement, are also defined as Chief Officers.

Senior Structure

For the purposes of this pay policy statement the Executive Leadership Team comprises the following posts; Chief Executive, Executive Director of Children's Services (DCS), Executive Director of Adult Social Services (DASS), Executive Director of Environment, Development & Housing, Executive Director Finance and Resources, Head of Law and Monitoring Officer, Assistant Chief Executive and Director of Public Health.

The Corporate Management Team comprises members of the Executive Leadership Team and those Heads of Service appointed on JNC conditions of service ([Link to structure chart](#))

National Pay and Conditions

There are a number of national agreements produced through collective bargaining arrangements for different groups of local government staff. The main negotiating bodies relevant to our workforce and their scope are listed below. Brighton & Hove City Council operates these national conditions as amended by local agreements.

The National Joint Council (NJC) for Local Government Services negotiates collective agreements on pay and conditions for local authority employees who are not covered by other specialist negotiating bodies (e.g. teachers).

The Joint Negotiating Committee for Chief Officers of Local Authorities (JNC) covers the pay and conditions for Chief Officers.

The Soulbury Committee negotiates the pay and conditions for advisory staff in local education authorities (LEAs), such as: educational improvement professionals (previously advisers and inspectors) and educational psychologists.

The Joint Negotiating Committee for Youth and Community Workers covers the pay and conditions of youth and community workers.

4 Governance

The Policy & Resources Committee is responsible for setting policy on pay and conditions of employment within Brighton & Hove City Council. The council has adopted the National Joint Council terms and conditions for local authority staff as amended locally. Chief Officers, including the Chief Executive, are similarly employed on nationally negotiated JNC terms and conditions but their pay is determined locally.

The relevant sub-committee, committee or the Chief Executive makes the appointment of staff in accordance with the Officer Employment Procedure Rules. "The Council's Appointments and Remuneration Panel is responsible for advising on the remuneration applicable to;

- a) the permanent appointment of Executive Directors,
- b) any proposal to offer a permanent appointment with a salary package of £100,000 or more.

The Appointments and Remuneration Panel may also be consulted for its views in connection with the statement of pay policy. ([Link to Constitution](#)). The policy in respect of the remuneration of interims and consultants is set out under paragraph ~~17-18~~ below.

5 Grading Structure

The council uses a recognised, analytical job evaluation scheme to ensure that there is an objective process for determining the relative size of jobs and thus allocating jobs to the appropriate grade. This is used for all posts, apart from those of the Chief Executive and Executive Directors and staff employed on Soulbury and Youth Worker conditions of service. Our current pay and grading structure was implemented during 2010.

6 Progression

All posts, apart from that of the Chief Executive and the Executive Directors are employed on grades containing spinal column points. Employees progress through their grade each year, rising by one incremental point, until reaching the maximum point of the grade. Pay awards for NJC and JNC staff are negotiated nationally. ([NJC and JNC grades](#)) Where a member of staff is the subject of formal disciplinary and capability processes, increments may be withheld.

Employees may be accelerated up the pay grade by a maximum of two spinal column points to recognise exceptional performance. Link to [Additional Payments Policy](#).

7 Remuneration on Appointment

Staff are usually appointed on the minimum spinal column point of the grade. However, where there are difficulties recruiting to a post or where an individual can demonstrate significant valuable previous experience, appointment may be agreed at a higher spinal column point within the grade.

The Council's Appointments and Remuneration Panel is responsible for advising the Chief Executive on the appropriate starting salary for any new permanent Executive Director appointments.

8 Chief Executive

The Chief Executive's salary is set to ensure that it is competitive when compared to roles of similar size and complexity elsewhere and with regard to the challenges, additional hours and working arrangements required to achieve the requirements of the role. The salary is on a single fixed salary point.

The Chief Executive is entitled to receive a fee as set by the Ministry of Justice for acting as the local returning officer for elections. ([Link to actual earnings and earnings forecast for 2012/13](#))

~~The Chief Executive will be reimbursed the cost of one professional association fee in addition to the membership fee of one local authority association relevant to the duties and responsibilities inherent in the role.~~

9 Executive Directors

The pay and grading of Executive Directors is determined by the requirements of the role and by reference to the labour market for roles of a similar size and complexity. They are on a single fixed salary point. Nationally negotiated cost of living awards are applied.

~~Executive Directors are entitled to be reimbursed the cost of one professional association fee in addition to the membership fee of one local authority association relevant to the duties and responsibilities inherent their role. ([Link to actual earnings and earnings forecast for 2013/14](#))~~

10 Corporate Management Team (excluding Executive Directors)

As part of the change to the Council's senior management structure in 2010, the Council commissioned the 'Local Government Employers' to undertake a review of the pay structure. This was to enable the council to attract and retain suitably skilled staff. The new pay structure for these posts places the jobs at or just below the mid-market level when the salaries are compared to those paid by other similar local authorities for jobs of a similar size and complexity.

11 Additional Payments

In order to ensure sufficient flexibility to reward staff who are undertaking additional responsibilities the Council's policy on [Additional Payments](#) provides for Acting Up Allowances or a one-off Honorarium Payment to be made in specific circumstances.

12 Market Supplements

The Council may pay a market supplement where there are proven shortages of individuals with particular skills and experience.

13 Travel and Expenses

Where authorised to do so, employees are entitled to be reimbursed for mileage they incur whilst discharging their official duties. The rate of [reimbursement](#) will depend on the engine size of a car, other rates are applicable where motorbikes and bicycles are used for this purpose. Employees who have to use public transport to travel for their role are entitled to reclaim the costs of the transport under the council's expenses policies.

14 Working Pattern Allowances

The council introduced a new allowance scheme for those employed on NJC terms and conditions on the 01 October 2013, these allowances reward employees who work outside the council's standard working week, which has been revised to be Monday to Friday between 6am to 8pm each day. Working outside of these standard times will attract an enhancement to the hourly rate. Details can be found in the in the Employee Rights & Responsibilities document.

15 Annual Leave

Annual leave entitlements vary according to the terms and conditions of employment. [Annual leave entitlements](#) are published on the Council's website.

16 Pension Scheme

Membership of the Local Government Pension Scheme is subject to the rules of the scheme and contribution rates are set by legislation ([Link to Rates on ESCC website](#)). Where individuals are already in receipt of a local government pension they are subject to the rules on abatement of pension within the scheme.

17 Redundancy, Retirement and other Compensation Payments

The council's approach to dismissals on the grounds of redundancy or efficiency of the service and in the case of early retirement can be found in the following policies on our website: [Redundancy, Retirement and other Compensation Payments policy statement](#) and [Retirement at Brighton & Hove](#).

In exceptional circumstances the council will agree to settle a claim or potential dispute upon the termination of employment by way of a compensation payment. This is agreed by the an officer panel comprised of the Head of Human Resources, the Monitoring Officer and the Executive Director Finance and Resources (or their delegates). In the case of Chief Officers or in cases where the proposed payment is £100,000 or more this will be referred to the Appointments and Remuneration Panel for consideration and recommendation to the Chief Executive. The District Auditor is also consulted about any potential offers to Chief Officers.

18 Remuneration of Staff – Contract for Services

Individuals employed on a contract for services will be paid at a rate consistent with the pay of directly employed staff performing a comparable role and will consider where relevant, a premium to take into account any relevant market factors. It is the council's policy to minimise the use of consultants wherever possible and the approval of the Chief Executive is required prior to any commitment to expenditure on consultants in excess of £10,000.

19 Remuneration of Staff – Publication of Information

The council publishes details of [staff earnings](#) in accordance with legal requirements on transparency. Further information is contained in the [Annual Report and Accounts](#) in accordance with the Audit of Accounts legislation.

Council

27 March 2014

Agenda Item 102

Brighton & Hove City Council

Subject: Annual Investment Strategy 2014/15 - Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 27 March 2014

Date of Meeting: 27 March 2014

Report of: Head of Law

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

Wards Affected: All

FOR GENERAL RELEASE***Action Required of the Council:***

To receive the item referred from the Policy & Resources Committee for approval:

Recommendation:

That the Council be recommended to approve the Annual Investment Strategy for 2014/15 as set out in Appendix 1 to the report.

POLICY & RESOURCES COMMITTEE

4.00 pm 20 March 2014
COUNCIL CHAMBER, HOVE TOWN HALL

DRAFT MINUTES

Present: Councillor J Kitcat (Chair); Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Morgan (Group Spokesperson), Davey, Hamilton, Lepper, A Norman, Peltzer Dunn, and Shanks.

PART ONE**147 ANNUAL INVESTMENT STRATEGY 2014/15**

147.1 RESOLVED TO RECOMMEND: That the Council be recommended to approve the Annual Investment Strategy for 2014/15 as set out in Appendix 1 to the report.

Council

27 March 2014

Agenda Item 103

Brighton & Hove City Council

Subject: Annual Update of the Council's Corporate Plan 2014/15 - Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 27 March 2014

Date of Meeting: 27 March 2014

Report of: Head of Law

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

Wards Affected: All

FOR GENERAL RELEASE***Action Required of the Council:***

To receive the item referred from the Policy & Resources Committee for approval:

Recommendation:

That the Corporate Plan annual update 2014/15, given as Appendix 1 and subject to a revision to include secondary school places, be approved, and adopted.

POLICY & RESOURCES COMMITTEE**4.00 pm 20 March 2014****COUNCIL CHAMBER, HOVE TOWN HALL****DRAFT MINUTES**

Present: Councillor J Kitcat (Chair); Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Morgan (Group Spokesperson), Davey, Hamilton, Lepper, A Norman, Peltzer Dunn, and Shanks.

PART ONE**157 ANNUAL UPDATE OF THE COUNCIL'S CORPORATE PLAN 2014/15**

157.1 The Chair introduced the report which provided an update to the Corporate Plan and stated that it brought together the councils ambitions and purpose and detailed its priorities as an organisation. He was pleased to note the number of achievements that

had been made and that none of the commitments were shown as red, which was welcome bearing in mind the challenges that existed in terms of being able to meet all of the commitments.

- 157.2 The Chief Executive stated that the plan had been updated substantially since its first publication in 2011 and noted that the four priorities remained with a number of outcomes that the council was seeking to achieve. The key areas of focus were set out and she hoped that the plan provided a clear sense of direction albeit that the council faced a number of challenges in the forthcoming period. She and the Executive Leadership Team were committed to leading the organisation to deliver high performance services and she wished to thank everyone involved in bringing the plan together.
- 157.3 Councillor Morgan welcomed the report and offered his congratulations to all those involved in it. He then sought clarification in regard to specific areas around secondary school places, external lettings, the banking partnership, the sustainable community strategy and park & ride and the levels of recycling.
- 157.4 The Chair noted that the sustainable community strategy had been updated and was now part of Brighton & Hove Connected and therefore suggested that there was no direct link with park & ride.
- 157.5 The Executive Director for Children's Services stated that secondary school places would be an area of focus in relation to improving school standards and offered to update the plan to account for this aspect.
- 157.6 The Chair stated that he would ask officers to provide further information in regard to the banking partnership and ethical banking. In relation to the levels of recycling he accepted that there was room for improvement and noted that there had been changes to the routes and vehicles reaching the end of their capacity which had contributed to the challenges being faced. However, he believed that issues were being addressed noted that he and the Chief Executive had regular meetings with the senior managers at City Clean to ensure that improvements could be made and taken forward.
- 157.7 The Chair noted that the plan would be updated to take account of the issue raised in relation to secondary school places and so put the recommendations to the vote with that proviso, which were carried.
- 157.8 **RESOLVED TO RECOMMEND:**
- (1) That the Corporate Plan annual update 2014/15, given as Appendix 1 and subject to a revision to include secondary school places, be approved, and recommended to Full Council on 27th March 2014 for adoption; and
 - (2) That the progress made on the Corporate Plan commitments from the 2013/14 annual update, as summarised in Appendix 2 to the report be noted.

Amendment to the Corporate Plan 2011-15.

The following amendment to the Plan has been made following the discussion at the Policy & Resources Committee on the 20th March 2014.

Outcome 1.1 'Children and Young people have the best start in life'
(Page 25 of the plan) and (page 85 of the agenda):

Key Areas of Focus for 2014- 15 to now also include an additional area number 7 below, relating to secondary school places:

Our key areas of focus for 2014-15

The following are our key areas of focus over the short to medium term:

1. Develop an Early Help hub working effectively with a range of evidenced based interventions such as our Stronger Families Stronger Communities programme.
2. Review our services for disabled children and those with special educational needs.
3. Work with partners to develop a Multi-Agency Safeguarding Hub (MASH).
4. Extend free childcare to 40% of two year olds including families with low incomes from September 2014.
5. Further develop a positive relationship with schools and ensure stronger educational standards.
6. Ensure the voice of children and young people is central to the development of service provision.
- 7. Through an agreed strategy ensure the availability of new and appropriate secondary school places in the city.**

Council

27 March 2014

Agenda Item 105

Brighton & Hove City Council

Subject: Review of the Council's Constitution 2014 - Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 27 March 2014

Date of Meeting: 27 March 2014

Report of: Head of Law

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

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

Wards Affected: All

FOR GENERAL RELEASE***Action Required of the Council:***

To receive the item referred from the Policy & Resources Committee for approval:

Recommendations:

- (1) That the proposed changes to the Council's constitution recommended in paragraphs 3.2 to 3.12 and Appendices 1 to 6 of the report be approved and adopted from 1st April 2014;
- (2) That the Chief Executive be authorised to take all steps necessary or incidental to the implementation of the changes agreed by Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate all the changes referred to at (1) above.

POLICY & RESOURCES COMMITTEE

**4.00 pm 20 March 2014
COUNCIL CHAMBER, HOVE TOWN HALL**

DRAFT MINUTES

Present: Councillor J Kitcat (Chair); Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Morgan (Group Spokesperson), Davey, Hamilton, Lepper, A Norman, Peltzer Dunn, and Shanks.

PART ONE

154 REVIEW OF THE COUNCIL'S CONSTITUTION 2014

- 154.1 The Monitoring Officer introduced the report which detailed the proposed changes to the council's constitution to take account of changes to officer delegations and the need to account for legislative changes and to incorporate best practice. He noted that recommendations had come forward from the Constitutional Working Group and the Planning Protocol Working Group. He also noted that following further discussions with the Members of the Constitutional Working Group certain aspects relating to the position of Neighbourhood Forums and Rottingdean Parish Council would be clarified and reported to Full Council as part of an addendum for the meeting on the 27th March. He then drew the committee's attention to the fact that the recommendation to Full Council should include paragraphs 3.2 to 3.12 rather than 3.11 as listed in the report.
- 154.2 Councillor Littman stated that he wished to thank the officers that supported the Constitutional Working Group and the Members who formed by of the Working Group, and stated that he believed it was an excellent example of cross-party working.
- 154.3 Councillor Peltzer Dunn also thanked the officers for their support to the Working Group and referred to pages 181 paragraph 1(b) and 183 paragraph (c) (3), and 192 paragraph 6 second bullet point, and asked if clarification could be made. He believed that the question of Members 'lobbying' Members of the Planning Committee needed to be clear and suggested that Ward Members should have the ability to speak to a matter at Planning Committee for a full 3 minutes each rather than find they had to share the allotted 3 minutes for objecting to an application. He also noted that no reference was made to those wishing to speak in support of an application and queried whether this should be included in the protocol.
- 154.4 The Monitoring Officer noted the comments and stated that further clarification could be made in regard to the issue of 'lobbying.' He also noted that the Planning Protocol Working Group had considered the question of enabling each Ward Member to speak for a full 3 minutes but had felt that it was appropriate to retain the 3 minutes in total for Ward Members to object to an application. However, he would raise the question again with the Head of Planning to see if the question could be reconsidered. He also noted that ultimately the Chair of the Planning Committee had the discretion and flexibility to extend the time allotted for objections to an application. With regard to the need to reference speaking rights for supported to an application, he stated that he would raise this with the Planning Protocol Working Group, but noted that there was no automatic legal right to speak at a committee meeting.
- 154.5 Councillor Peltzer Dunn referred to the role of the Neighbourhood Forum and Rottingdean Parish Council and suggested that the protocol should be revised to say that they would only have the ability to comment on developments in the area that related to their boundaries.
- 154.6 The Monitoring Officer stated that he would amend the definition in the protocol to clarify that Neighbourhood Forums and Rottingdean Parish Council could only comment on those applications which related to their specific areas.
- 154.7 Councillor Morgan stated that he wished to add his thanks to the officers who supported the Constitutional Working Group. He also noted the proposed change on

page 197 with the Scrutiny Team moving into the Policy Team and noted that he had previously presented a letter to the Committee seeking assurances that the role and work of scrutiny would remain independent to that of policy. He was therefore cautious about the proposal and felt that it was important to retain a relevant and independent scrutiny function.

- 154.8 Councillor G. Theobald referred to page 184 and queried whether officer support would be made available for planning appeals when a committee decision went against officer recommendations and was then taken to appeal.
- 154.9 The Monitoring Officer stated that the principle remained in that a Member decision would be supported by officers and therefore the Head of Planning needed to consider how best to provide officer support for any appeal where the decision had been made against officer recommendations. He would raise the matter with the Head of Planning and seek to amend the protocol accordingly.
- 154.10 Councillor A. Norman noted that it was proposed to extend the web casting of meetings to include the Environment, Transport & Sustainability and Housing Committees. She stated that having had to watch the web cast of the last committee meeting she had found difficulties with the quality and accessibility of the web cast on her council lap top. She therefore wondered if these problems should be addressed before the facility was extended to other committee meetings; as she believed she was not alone in experiencing such problems.
- 154.11 The Chair stated that there could be a number of factors that would affect the quality of the web cast such as the speed of the internet connection, the area people live in, the actual computer being used etc... He noted that the web cast facility had been approved following a procurement process and that the current provider was based in Hove and worked closely with Democratic Services to provide a good service. He would also be happy to look at Councillor Norman's set up to see if any changes would enable an improvement to be made.
- 154.12 Councillor Norman thanked the Chair and stated that she was keen to ensure that the provision was good value for the user.
- 154.13 The Chair noted the comments and put the recommendations to the vote with the amendment to include paragraph 3.12 which was carried.
- 154.14 **RESOLVED:**
- (1) That the proposed changes to officer delegations set out at paragraphs 3.13 to 3.15 and Appendices 7 (a) to (c) of the report be approved and that the changes come into effect on 1st April 2014;
 - (2) That the Chief Executive be authorised to take all steps necessary or incidental to the implementation of the changes agreed by Policy & Resources Committee and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate all the changes referred to at (1) above;

154.15 RESOLVED TO RECOMMEND:

- (3) That full Council be recommended to approve the proposed changes to the Council's constitution as set out in paragraphs 3.2 to 3.12 and Appendices 1 to 6 of the report.
- (4) That the Chief Executive be authorised to take all steps necessary or incidental to the implementation of the changes agreed by Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate all the changes referred to at (1) above.

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AGENDA ITEM 105

REVIEW OF COUNCIL'S CONSTITUTION

CONSERVATIVE GROUP AMENDMENT

Amend recommendation 2.4 and add recommendation 2.5 as shown in bold italics.

RECOMMENDATIONS

- 2.4 That the proposed changes to the Council's Constitution recommended in paragraphs 3.2 to 3.11 and Appendices 1 to 6 of the report be approved and adopted from 1st April 2014 ***subject to additional recommendation 2.5.***
- 2.5 ***That in 3.5 (ii), the maximum time for presentation of deputations is kept at the current limit of 5 minutes.***

Proposed by: Cllr. Mears

Seconded by: Cllr. G. Theobald

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AGENDA ITEM 105

REVIEW OF THE COUNCIL'S CONSTITUTION

AMENDMENT

The addendum sets out amendments following discussion with the cross party Constitution Working Group and at Policy & Resources Committee on 20th March 2014.

Appendix 4 – Protocol for Members Regarding Planning Applications

Paragraph 1 (b) Lobbying and neutrality

Insert wording to clarify meaning of 'lobbying' and that Members may make representations in relation to Planning Applications in accordance with the Planning Protocols.

Paragraph 3 (c) (iii) Committee Meetings

Insert wording to make explicit that the right to attend and speak in relation to Rottingdean Parish Council and Neighbourhood Forums applies to applications affecting the area of the Parish or Neighbourhood Forum.

Paragraph 5 Decisions Contrary to Officer Recommendation (e)

Insert new sub-paragraph (e) to confirm that appropriate support will be given to Members in relation to planning decisions, including where a decision is contrary to officer recommendation.

All shown in the attached appendix.

PART 8.5 PROTOCOL FOR MEMBERS REGARDING PLANNING APPLICATIONS

1. Lobbying and neutrality

- (a) Members of the Planning Committee should not organise the support of, or opposition to, planning applications.
- (b) No Member should lobby Members of the Planning Committee outside the formal procedures for objecting to or making representations on planning matters, as set out in this Protocol and the Protocol for Public Representations at Planning Committee.
- (c) Planning Committee Members should retain a neutral position on planning applications prior to determination at the Committee and, in order to retain the impression of being free from bias, should avoid making public statements as to their support of, or opposition to, any application.
- (d) Planning Committee Members should use a standard paragraph in letters to lobbyists etc explaining they will retain a neutral position on planning matters and applications until such time as the application is put to the Committee for determination. However, before doing so Members may wish to take advice from officers as to whether the application will be determined by the Committee or under delegated authority.

A suggested standard paragraph is as follows:

“As a Member of the Planning Committee I am unable to comment on planning application reference.....until such time as the application comes before the Committee for determination”

- (e) Ward Members not sitting on the Committee should be informed of applications in their ward.
- (f) Members not sitting on the Planning Committee may make public their personal view on any development issue and may take advice from the Head of Law before commenting on any particular planning application. Where views are expressed it should be made clear that the merits of the application will be dealt with by the Committee at the determination stage in accordance with statutory criteria.
- (g) No Member should appear to be delivering planning outcomes to lobbyists, agents, third parties, objectors, etc. prior to a planning application being determined.
- (h) Members who have been lobbied or taken part in any discussions on an application, and then substituted onto the Committee, should declare this at the Committee. Members who have expressed a strong view on a particular application should seek advice from the Head of Law prior to being substituted.

Note

| [19/07/12270314](#)

Planning Committee Members have to retain a “neutral” position on any application for the very fact that they are part of the decision making process and cannot be seen to side with either the applicant or objectors prior to the date of determination of the application when all relevant facts are known. As decision makers, they should not be seen to be prejudging the application, nor to be influenced by those with whom they have a special relationship as fellow Members, at any stage prior to determination. This would not therefore debar a local Member from speaking on an application at the determination stage but would prevent a Member from lobbying Members at any time leading up to determination.

The Planning Committee is constrained to take into account only relevant planning considerations, against the background of the Development Plan and other material planning considerations. Planning decisions should not be unduly influenced by party politics, or individual Members. Should Members be allowed to become involved in applications to the extent of organising support/objection the Council’s credibility in the decision making process could be compromised.

For example, therefore, Members should not distribute or organise the distribution of leaflets urging the public to support or oppose particular planning applications. However, Members could set up meetings to gain the public’s views on particular applications, but in so doing regard must be had to codes (c) and (f) above.

For further advice regard should be had to the Local Government Association’s publication: “*Probity in Planning*” which contains detailed guidance on good planning practice for Councillors and officers dealing with planning matters.

2. Declaration of Members’ Interests

- (a) All Members should be conversant with the Code of Conduct for Members.
- (b) Non-voting Planning Committee Members should leave the committee room during consideration of any application in which they have an interest which would amount to a disclosable pecuniary interest had they been voting Members of the Committee.

[Note: Members should be aware that officers are bound by the Code of Conduct for Employees and should declare financial and non – financial interests.]

3. Procedures and Conduct of Meetings

(a) Chair's Briefings

- (i) Chair's briefings should be held after the draft agenda has been set and officers' recommendations made.
- (ii) The prime purposes of Chair's briefings should be:-
 - to discuss the issues with the Chair, Deputy Chair and Opposition Spokesperson;
 - to ensure that the rationale for officers' recommendations is fully explained;
 - for the Chair to highlight possible problem items and potentially controversial applications;
 - to consider arrangements for site visits;

(b) Officer - Member Briefings

- (i) Member briefings should be held after the draft agenda has been set and officers' recommendations made.
- (ii) The purpose of Member Briefings is to ensure that the rationale for officers' recommendations is fully explained
- (iii) Officer-Member briefings are to be fact finding exercises only.

(c) Committee Meetings

- (i) An opportunity will be given for members of the public to address the Committee. Those wishing to make representations must follow the Protocol for Public Representations at the Planning Committee.
- (ii) A representative of the Head of Law should be present at all Committee meetings.
- (iii) Ward Members not sitting on the Committee, any ward Member of an adjoining ward or other ward which will be affected by the application, [representatives of Rottingdean Parish Council \(in relation to applications which affect the area of the Parish Council\)](#) and [representatives of a neighbourhood forum designated under the provisions of the Localism Act 2011 \(in relation to applications which affect the area of the neighbourhood forum\)](#) will have the right to attend the Planning Committee and speak for a maximum of 3 minutes to any application within/affecting their ward or area. ~~Where more than one Ward Member wishes to speak, the time will be divided equally among the Ward Members (unless they come to some other arrangement between themselves.)~~

Note

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This includes the right of ward Members to speak on an application where they are Members of the Applicant Committee (see also note to Code 6(a)).

4. Site Visits

- (a) Site visits should follow established criteria. A copy of the criteria is attached as Appendix 1.
- (b) A Code of Conduct for site visits should be followed. A copy of the Code is attached as Appendix 2.
- (c) It is recommended that all Planning Committee Members should attend site visits.
- (d) Planning Committee Members with an interest in an application should not attend the site visit for that application.

5. Decisions Contrary to Officer Recommendation

- (a) Members must give tenable and substantiated reasons when refusing and approving planning applications.
- (b) Reasons for rejection and approval should be fully minuted.
- (c) A recorded and named vote should be taken where applications are rejected or approved against officer recommendations.
- (d) Officers must ensure that Members are fully aware of the reasons for their recommendation and the implications for the Committee of a decision against the recommendation – this would include the cost implications of any appeal.
- (e) Officers will ensure that any decision (including a decision that is contrary to officer recommendation) is appropriately supported.

6. Planning Applications made by the Council

- (a) There is no automatic prohibition on Members of the Planning Committee speaking and voting on planning applications made by Committees or Sub-Committees of which they are also Members. However, Members need to be mindful of the following:
 - there may be a potential public perception that, by being part of the application and determination process, Members may not retain a neutral and objective position;
 - Members must confine themselves to determining planning applications on the basis of material planning considerations only and not take into account non-planning considerations;
 - Members should not take part in the planning decision if their Membership of the Applicant Committee or Sub-Committee, or other circumstances, would lead to a charge of bias or predetermination.;
 - Members should consider each situation on its own merits and, if the position is unclear, err on the side of caution and not take part in the determination of the application;
 - If Members are unclear or need advice, they should consult the Head of Law or the Planning Lawyer.

7. Relationship between Members and Planning Officers

- (a) Planning officers who work closely with Members must ensure that their professional judgment is not compromised by the nature of their professional relationship with Members.
- (b) Members should recognise that Chartered Planners are governed by their code of professional conduct obliging RTPI members to make professional and independent recommendations.
- (c) Informal relationships between officers and Members should be avoided as this may create difficulties for chartered planners where there are genuine differences of approach to a planning matter.

Note

Members need also to be familiar with the Code of Conduct for Member/Officer Relations found elsewhere in this part of the Constitution.

APPENDIX 1 Criteria for Planning Committee Site Visits

1 The Purpose of Site Visits

1.1 The purpose of a Site Visit is:-

- to enable Members of the Committee to obtain a fuller appreciation of the likely impact of proposed development, which may not be apparent from the officers' report and presentation or from a public vantage point outside the site, so as to inform better decision making in respect of that application;
- ~~to enable members of the public to point out to Members of the Committee particular local conditions or site characteristics that have a bearing on the planning issues relating to a submitted application;~~
- to enable Members of the Committee to assess the impact of schemes that they have previously approved so as to inform decision making in the future (site visits to implemented schemes).

~~Both applicant and objector shall be treated equally during the site visit, and where the applicant has direct access to Committee Members, he/she shall only respond to factual questions put by members of the Committee.~~

1.2 The purpose of a Site Visit is not:-

- to allow ward Councillors, applicants, objectors or other members of the public to lobby Members of the Committee, nor
- to duplicate or check up on the site assessment made by the planning case officer.

2. Protocol for calling for Site Visits

2.1 Any Member of the Committee or Councillor is entitled to make a request for a site visit explaining how they consider their request meets the criteria set out above. It will be entirely at the discretion of the Committee to decide whether it wishes to carry out a site visit in that particular instance.

2.2 A request for a site visit may be made by a Member either at Planning Committee or at an Officer-Member Briefing. Officers may suggest or formally recommend that a site visit be made. A site visit will be held unless the majority of Members, present at the time when the request is considered, disagree. Should a site visit be agreed the planning application will be heard at, or deferred until, the next Planning Committee following the site visit. ~~If a Member of the Committee calls for a site visit this will normally be agreed provided that Members are satisfied that the proposal meets the criteria although the final decision on all such requests will rest with the Committee itself.~~

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2.3 Members will be encouraged to identify potential cases for Committee site visits at the earliest possible occasion so as to avoid unnecessary deferments.

APPENDIX 2 Site Visits by Planning Committee Code of Conduct

~~1. A site visit is for the purpose of viewing the site and ascertaining facts. They will take place only if authorised by the Committee where the Committee considers it is unable to determine an application on the basis of the officer's report to the Committee alone.~~

1. Authorised attendance at a site visit shall be limited to elected and co-opted Members of the Planning Committee, a representative of the Executive Director Environment, Development & Housing ~~Strategic Director of Place~~ and the applicant or his or her representative. Councillors representing the ward in which the application is submitted or adjacent wards affected by the application will also be invited to attend.

2. There shall be no discussion of the merits of any application during the site visit. Such discussions will only take place at a meeting of the Committee.

3. During the site visit Members should endeavour to remain in a group and must not enter into individual discussions with the applicant, the applicant's agent or any objector, supporter or ward Councillor.

4. The applicant, objectors, supporters and ward Councillors shall be treated equally during the site visit.

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5. Neither the applicant, nor their representative nor any objector, supporter or ward Councillor shall not be permitted to make representations to Members of the Committee during a site visit but they. They may, however, give any purely factual information which is required by Members and which cannot be ascertained by viewing alone.

~~6. A request for a site visit is normally made by a Member at Planning Committee when the recommendation is considered. Officers may suggest or formally recommend that a site visit be made. If the Committee agrees that a site visit should be made, the application is automatically deferred to the next meeting.~~

6. Site visits are normally arranged for the afternoon of the day immediately prior to the following Planning Committee. It is the responsibility of the case officer to:

- (a) Notify the applicant/owner of the site that a visit is to take place and explain the procedure;
- (b) Liaise with the Clerk to the Committee regarding the time and place of the visit so that a letter can be sent with the next agenda notifying Members of the visit.

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- | (c) Ensure that the report ~~is/schedule recommendation is~~ included on the next agenda.

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Council	Agenda Item 106(a)
27 March 2014	Brighton & Hove City Council

NOTICE OF MOTION

GREEN GROUP AMENDMENT

IMPROVING THE REFUSE AND RECYCLING SERVICE

Insert text into shown in bold italics and the deletion of the text as struck through.

This Council ***acknowledges the regular meetings held daily by senior officers and monthly by lead councillors with officers to oversee the refuse and recycling changes underway, including the extensive introduction of communal recycling. Whilst there have been challenges and regrettable disruptions, for which we apologise, this Council knows the result will be an efficient and effective service. We thank residents for their understanding through this difficult time. This Council also notes the forthcoming briefings on the service to which all councillors have been invited.***

This Council thanks its officers for working to deal with the unresolved matters left by previous administrations of equal pay and allowances as well as the need for a new programme of vehicle investment and renewal. This Council thanks the entire CityClean workforce for their hard work in dealing with these significant and challenging changes, the biggest the service has ever faced. ~~resolves to request the Leader of the Council to immediately set up a Command Group to address as a matter of urgency the ongoing problems with the City Clean refuse and recycling service.~~

Supporting information:

Refuse collection and recycling services in the city are in disarray and have never fully recovered from the industrial action by CityClean staff last Summer. Vehicles are continually breaking down, the communal recycling service is experiencing huge teething problems, rubbish is strewn across the streets and in the areas without communal facilities, residents have little or no idea when, or indeed if, their refuse and recycling is going to be collected.

The Command Group should be Chaired by the Leader of the Council and include the Chief Executive, Head of City Clean, Head of Human Resources and the Lead Councillor for the Environment. It should be tasked with getting a grip on this most basic of Council services. The Group's terms of reference should include:

- Meeting every day until the rubbish collection system is clearly working efficiently – ie for as long as it takes.

- Going through every morning with the Head of CityClean each report of a missed collection – find out why it was missed and when the catch up is being done.
- Ordering an immediate investigation into the extraordinary number of breakdowns which are hampering the service.
- Communicating every day to residents, with a press release and update on the website detailing how many collections were missed.
- Phoning at least 10 residents each day who had a missed collection and listen to what has happened. Feedback their concerns directly to the Head of CityClean
- Holding a meeting each week for an hour at the depot with a front line crew to listen to their concerns and ideas for improving the service.

Proposed by: Cllr. J. Kitcat

Seconded by: Cllr. West

NOTICE OF MOTION**LABOUR AND CO-OPERATIVE GROUP****PAY DAY LENDERS AND INTERNET BAN**

"This council resolves:

- To request the Policy & Resources Committee to ban access to pay day lenders websites on all council computers and via publically accessible internet connections provided by the Council, including libraries, and instead redirect them towards information on the Money Advice Service and East Sussex Credit Union and other responsible lenders."

Proposed by: Councillor Wilson

Seconded by: Councillor Daniel

Supported by: Councillors Morgan, Mitchell, Hamilton, Lepper, Carden, Fitch, Gilbey, Pissaridou, Farrow, Marsh, Meadows and Robins.

Supporting Information:

Several local authorities have already banned access to pay day lenders websites via their computers, including

- Blackpool
(<http://www.blackpool.gov.uk/News/Articles/2013/October/Blackpool-Council-bans-access-to-payday-loans-websites.aspx>)
- Bolton
(http://www.theboltonnews.co.uk/news/10634734.Payday_loan_websites_banned_from_council_computers/)
- Durham(http://www.thenorthernecho.co.uk/news/10833280.Council_bans_internet_access_to_payday_loans_from_its_computers/)
- Nottingham
(<http://m.nottinghamcity.gov.uk/index.aspx?articleid=25533>)

NOTICE OF MOTION**CONSERVATIVE GROUP AMENDMENT****REDEVELOPMENT OF ROYAL SUSSEX COUNTY HOSPITAL**

Insert text into second paragraph shown in bold italics and the deletion of the text as struck through.

"This Council believes that the provision of modern NHS facilities is essential for this city.

This Council ***commends the staff at the Royal Sussex County Hospital for all their work on such a comprehensive bid, further supports the campaign by the Member of Parliament for Brighton Kemptown & Peacehaven to make the case for funding the 3Ts redevelopment at the Royal Sussex County Hospital and requests the Chief Executive to write to the Chancellor of the Exchequer, George Osborne, urging him to agree the Business Case and fund the redevelopment as soon as possible.*** ~~requests the Chief Executive to write to the Prime Minister David Cameron and the Health Secretary Jeremy Hunt and call on the Government to release the funding already earmarked in the NHS capital spending budget for the "3Ts" redevelopment at the Royal Sussex County Hospital without further delay."~~

Supporting Information:

- Planning permission was granted for the "3Ts" redevelopment at the Royal Sussex County Hospital over two years ago.

Proposed by: Cllr. Hyde

Seconded by: Cllr. C. Theobald

