



**Brighton & Hove
City Council**

**POLICY, RESOURCES & GROWTH
COMMITTEE
ADDENDUM**

4.00PM, THURSDAY, 9 JUNE 2016

FRIENDS MEETING HOUSE, SHIP STREET, BRIGHTON

ADDENDUM

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To consider the following matters raised by members of the public:	
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<i>Contact Officer: Parul Chatterjee</i> <i>Tel: 01273 295082</i>	

DEPUTATIONS FROM MEMBERS OF THE PUBLIC

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

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

(a) Deputation concerning Public Space Protection Orders from the Friends, Families and Travellers Group

Supported by: Gaz Fisher, Max Tansley, Gordon Reid, Angela Barnett, Zackery Hornby

Deputation to the Policy & Resources Committee, BHCC, June 2016

We are presenting this deputation as Travellers regarding BHCCs proposal to consider the use of Public Space Protection Orders to stop our communities encamping in the many suggested locations across the City. We are aware this decision lies with the Policy & Resources Committee so we are presenting this to you ahead of the consultation report.

As we understand it, PSPOs have come from the Anti-Social Behaviour, Crime and Policing Act 2014. The definition of what's deemed to be 'anti-social behaviour' in this Act has been lowered to incorporate 'nuisance and annoyance' that has a 'detrimental effect on the quality of life of those in the locality'. By proposing to use PSPOs against Travellers BHCC is trying to do is say is that the mere presence of us Travellers is deemed as a 'nuisance' or 'annoyance' and therefore we are conducting anti-social behaviour. Are you aware of how that sounds, and how that makes our community feel?

If other local residents, from the housed population, are complaining about being annoyed by us or say we're a 'nuisance' and you are acting on that then you are just pandering to their prejudices and discriminatory views.

We feel PSPOs are a very reactionary measure which will have a disproportionate impact on our already marginalised communities. We don't feel that you would treat other marginalised community like this – would BHCC introduce a policy to attack the culture of for example the Pakistani community, or the Gay community?

We have been living as part of the 'Brighton community' for generations. Does Brighton celebrate its diverse community? If so why don't you feel we are part of that rich diversity?

There are already sufficient eviction powers in place to deal with unauthorised encampments, why do you need to introduce further powers? Surely the solution is to allow longer stopping times in suitable locations or even building more authorised sites which our community can live on. We would then pay rent and council tax.

We feel this is in breach of our human rights and we are prepared to challenge this in the courts. Other leading human rights groups, such as the Equality and Human Rights Commission, Liberty, and Friends, Families and Travellers are involved in this issue as it is such a draconian use of powers to target a marginalised group.

We urge you not to introduce PSPOs to target Travellers and look at a meaningful way to increase site provision and longer stopping times in suitable locations.

Gaz Fisher, Max Tansley, Gordon Reid, Angela Barnett, Zackery Hornby

**Supporting information, Traveller deputation to Policy & Resources
Committee, June 2016**

We are concerned that the current proposal is to use PSPOs on 12 locations but it is completely viable this will increase – this will bring us to a situation where you are effectively barring a whole community of people from our City. We feel further provision is the answer – not barring our communities.

How will we as a community be able to engage with BHCC when we are increasingly feeling under attack.

We are also concerned about the mechanics of the use of PSPOs. For example, what happens if we cannot comply with a PSPO and then get fined, if an individual cannot pay a fine relating to a PSPO then that person will have a court summons - where would a court summons go, as we don't have a permanent address this would be sent to a c/o address which we don't have regular access to. Ultimately this could mean that individuals could lose their liberty and home within the space of 24 hours. You are effectively criminalising us for our lifestyle.

We would also like to point out that the harder it is for us find suitable places to park the harder it is to go to work and take our children to school etc.

Apparently the purpose of a PSPO is to stop individuals or groups committing anti-social behaviour – our lifestyle is not anti-social. In fact the European Court of Human Rights (in the Connors case), ruled that there was a positive obligation for the UK Government to act so as to facilitate the Gypsy way of life.

There has been a constant persecution of Gypsies and Travellers and as a progressive society and as a local authority you are supposed to have better regard to more marginalised communities such as ours.

Subject:	Development of Library Services in Hove and Hollingbury		
Date of Meeting:	9th June 2016		
Report of:	Acting Executive Director Economy, Environment & Culture, and Executive Director, Neighbourhoods, Communities & Housing		
Contact Officers:	Name:	Sally McMahon Angela Dymott	Tel: 29-6963 29-1450
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Ward(s) affected:	All		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that officers were seeking and responding to further information to enable a full analysis of options. Given the financial implications, the Policy Resources & Growth Committee needs to make a decision at this meeting rather than it being delayed.

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The Libraries Plan 2016-2020, approved by Council on 24 March 2016, proposes the creation of a new Cultural Centre in Hove by bringing together the Libraries and Museums services into one building at Brooker Hall, the existing Hove Museum, with the addition of a new extension at the rear of the building. The Libraries Plan also proposes the move of library services in Hollingbury into two new locations: Hollingbury and Patcham Children's Centre and the Old Boat Community Centre.
- 1.2 The proposed changes will enable revenue savings of £363,134 as a result of developments at Hove Museum and in Hollingbury funded from the projected capital receipt from the sale of the library buildings. In addition, the council will avoid the large on-going maintenance costs of these two old buildings with revised estimates totalling between (minimum) £449,113 and (maximum) £883,338 (Hove and Hollingbury libraries maintenance revised estimates over a five year period)
- 1.3 There are significant benefits to the community of bringing together library services with other services and facilities (see sections 3.9 and 3.10). Each institution will benefit from being introduced to new people, and can collaborate in activity for the benefit of the local community in new and creative ways.

- 1.4 This report sets out in summary the proposal costs, savings and funding sources following business case reviews for these service changes and developments and seeks approval for the disposal of the existing Hove and Hollingbury library buildings in order to fund these developments.
- 1.5 The report also recommends the wide marketing of the library buildings on the open market to attract the broadest possible interest, including consideration of community use, to achieve the best possible future use of the Hove Library and Hollingbury Library buildings.
- 1.6 The Libraries Plan proposals were preceded by a comprehensive Service Review and Needs Analysis and consultation, approved by the Economic Development and Culture Committee in November 2015, and also by three months of public consultation which was reported to the Economic Development and Culture Committee in March 2016.
- 1.7 If the proposal to relocate Hove Library does not go ahead, a further report will need to be brought to the committee to agree alternative savings proposals for the Libraries Service. If the full savings are to be found in Library Services, this is likely to include a range of options including:
 - Keeping Hove Library in the current building but on a much smaller scale and introducing income generating activity into the building. One version of this was looked at in the options appraisal as part of the business case. There would probably still be a savings gap of an estimated £85,000 so other library closures would still need to be considered alongside this option.
 - Proposing the closure of community libraries to meet the full savings gap. The average cost of running a community library following the introduction of single staffing and other changes to the network is £38,731 including Corporate Landlord costs. If the staffing and book fund savings for Hove for 2017-18 go ahead, the savings that would need to be covered is £189,114 (see 4.1.2), so an estimated 5 to 7 community libraries would need to close.

2. RECOMMENDATIONS:

- 2.1 That the Committee authorises officers to proceed with the design development and preparation of a planning application for the creation of a new cultural hub at Hove Museum, and to the moving of Hove library into the new cultural hub in accordance with the adopted Libraries Plan 2016-2020
- 2.2 That the Committee authorises officers to proceed with the moving of Hollingbury Library to Hollingbury and Patcham Children's Centre and the Old Boat Community Centre, in accordance with the adopted Libraries Plan 2016-2020
- 2.3 That the Committee authorises the Acting Executive Director Economy, Environment & Culture, Assistant Director Property & Design to market the current Hove Library building and Hollingbury Library building widely on the open market to support the library service redesign and re-locations set out in the body of the report.

- 2.4 That once the marketing exercise is complete, the Committee will consider a further report setting out the outcome and the disposal options for the future of the buildings.
- 2.5 That the Committee (a) approve the ring-fencing of the capital receipts from the sale of both buildings to fund the development of a new extension at Hove Museum and the physical moves of Hove Library into Hove Museum, and of Hollingbury Library service into the Hollingbury and Patcham Children's Centre and the Old Boat Community Centre; and (b) agree that any surplus receipts from the disposals of the two buildings will be reinvested into the council's corporate strategic capital resources for future capital investment priorities.

3 CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Library Service has conducted a thorough Service Review and Needs Analysis to inform the development of a new Libraries Plan for 2016-2020. The Libraries Plan proposes the modernisation of Library Services to ensure the delivery of comprehensive, efficient and sustainable library services for the city, and to deliver one million pounds of savings over the next four years.
- 3.2 The proposals include creating a Cultural Centre for Hove and ensure a resilient future for both Hove Library and Museum Services. There is space at the Hove Museum site to extend the building to accommodate a shared service provision. It will be a centre rooted in the community and will have relevance to a wide range of people from the city and beyond.
- 3.3 The publicly accessible space on the ground floor of the building will double to 520m² with the old extension being replaced by a new purpose-built extension more suited to the delivery of both library and museum services. The current public space on the ground floor is only 252m².
- 3.4 The building will become an integrated library/museum facility with the majority of library services on the ground floor. The idea is to blend and merge museum displays and library resources together to provide new and interesting experiences for visitors to the centre.
- 3.5 Hove Library (Carnegie building) is a Grade 2 Listed building and opened as a purpose built library in 1908. It is expensive to run, costing £525,000 per year to operate the Library Service from this location.
- 3.6 The Libraries Plan proposals also include moving a focused collection of library resources for children and families to Hollingbury and Patcham Children's Centre. The rest of the Hollingbury Library collection would be moved to the Old Boat Corner Community Centre in Hollingbury to provide a library service for people of all ages in the area.
- 3.7 The reasons for the proposal are that the current Hollingbury Library building is an old public house building in need of significant repairs estimated at £148,000 and it is one of only two stand alone, isolated community library buildings in the public library network.

3.8 The full business cases for the development of a new Cultural Centre for Hove, bringing Hove Library and Museum together, and the move of Hollingbury Library services to new locations in Hollingbury are attached as appendices.

3.9 **Benefits of the proposed changes for Hove:**

- Sharing a building delivers reduced running costs for both Libraries and Museums Services. The revenue saving for the council of making changes to the way library services are delivered in Hove, including moving Hove Library to Hove Museum will be an estimated £337,000 per year.
- There will be significant investment in the Brooker Hall Hove museum building which will increase its longevity and reduce maintenance costs for the future
- The library move from the Hove Library building removes the need for the on-going maintenance and repairs with revised estimates at between £301,125 (minimum) and £735,350(maximum) over the next 5 years.
- The new facility will be an important local community resource that will attract more people to visit both the library and museum services from Hove and across the city
- The development will help revitalise the museum service in Hove, bringing new and wider audiences to the galleries, exhibits and activities
- There will be opportunity to develop a broader cultural programme such as adult education, talks and workshops
- Combining resources from Libraries and Museums will provide cultural experiences beyond the traditional ways of browsing and learning
- The project will develop the co-creation model, working with communities, families and children to ensure the service meets local need and is supported locally
- This is an opportunity to build on the existing strong partnerships with local arts organisations as a result of previously highly successful projects in both services and also through both Libraries and Museums involvement in the Arts Commission
- This will act as a catalyst for new projects attracting funding to broaden the arts and cultural experiences available for people in Hove. Libraries and Museums working together can present a stronger case to potential funders, offering a more diverse collection or resources to present in new and interesting ways. An example of successful integration of library, museum and archive resources can be found in the new Manchester Central Library with its exciting mix of real and digital artefacts, information and records that attracted grant funding and commercial sponsorship.
- The proposal includes the development of the café, garden and shop to increase income generation opportunities, which will be enhanced by the increase in footfall to the building as a result of the combined services.
- The new extension and other internal changes will also create opportunities for increased hire of spaces and facilities

- There will be purpose built exhibition display space for the museum on the ground floor
- There will be new outside activity space for e.g. children’s reading, learning and educational play
- Inside, there will be dedicated space for older children and young people that was lacking in the old library building
- There will be a dedicated research room for those seeking to consult the Wolseley special collection
- The proposals will bring together heritage collections and create opportunities to develop intergenerational exhibitions and displays that appeal across age groups.

3.10 Benefits of the proposed changes for Hollingbury:

- Nationally, the best performing libraries are co-located or integrated with other services. In Brighton & Hove the direction of travel is away from stand-alone service and towards creating neighbourhood / community hubs. Hollingbury, is one of only two community libraries that are still stand-alone. The other in Moulsecoomb is part of the Neighbourhood Hubs and Community Collaboration programme that will bring community services and resources together for the benefit of local people.
- The Hollingbury changes have created the opportunity to work more closely with the Children’s Centre to provide help and information on child and family health, parenting, money, training and employment. The services are planning joined up activities for children and their carers, bringing their different but complimentary expertise together.
- It will also provide better access for children at Carden School with library facilities within the school grounds
- This is also an opportunity to work more closely with local community through the Community Centre, and extend the reach of the library to previous non-users in other parts of the Hollingbury community
- The Old Boat Community Centre will also benefit from the increased footfall which could also generate additional income. The Centre will benefit from the new investment in the building and the sharing of running costs.
- The Hollingbury move will provide longer access for local people to Library Services over seven days of the week and will enable greater community collaboration and engagement, whilst also delivering £26,500 of revenue savings.

3.11 Summary of Savings:

Hove & Hollingbury Libraries summary	Current costs (full year)	Future costs (full year)	Savings
TOTAL	£569,484	£206,350	£363,134

Hollingbury Library revenue savings	Current costs (full year)	Future costs (full year)	Savings
Buildings	£13,900	£9,000	£4,900

Employees	£23,000	£4,000	£19,000
Supplies and Services	£9,100	£6,000	£3,100
Income	-£1,500	-£1,000	-£500
TOTAL	£44,500	£18,000	£26,500

Hove Library revenue savings:	Current costs (full year)	Future costs (full year)	Savings
Buildings & corporate landlord*	£73,620	£41,816	£31,804
Employees	£336,092	£133,692	£202,400
Supplies and Services*	£157,430	£55,000	£102,430 (£100,100 is book fund)
Income	-£42,158	-£42,158	£0
TOTAL	£524,984	£188,350	£336,634

*Explanations of these expenditure headings can be found in the business case in Appendix 2.

More detail**:	Employees	Book fund	Property, & supplies & services	Totals
Total directly linked to relocation	£110,005	£44,975	£34,134	£189,114
Total related to changes in the way services are delivered	£92,395	£55,125	0	£147,520
Totals	£202,400	£100,100	£34,134	£336,634

**Please note that the savings are those for all changes to Hove Library service provision which includes the projected move and related modernisation changes. The project is not just about moving the library; it is about changing the way the library service operates in whatever location. The level of reduction in book fund is dependent on what else happens to the rest of the network. If there was a need to close a number of community libraries, the amount of public library books in the city would be reduced, and so it might not be appropriate to reduce the stock at Hove to the same extent, as those people who previously visited their local library would have to borrow books from Hove and Jubilee libraries.

3.12 Building repair and revised maintenance costs:

Building repair and revised maintenance costs over 5 years, avoided by these changes		
Hove Library Condition survey completed February 2014 and reviewed in May 2016	Hollingbury Library Condition survey completed 2012	Total
Minimum specification £301,125 Maximum specification £735,350	£147,988	Minimum £499,113 Maximum £883,338

Building repair and revised maintenance costs for Hove Museum over 5 years

Survey completed in February 2016 and reviewed in May 2016

Minimum specification: £79,970

Maximum specification £438,680

3.13 The minimum and maximum specifications for both Hove Library and Hove Museum buildings have been produced through a review of both the existing Hove Library 2014 and Hove Museum 2016 condition surveys. The minimum reflects what would be needed to carry out the minimum repairs on the buildings. The maximum reflects the more extensive planned maintenance that is needed taking a longer term perspective.

3.14 An independent review of the existing 2014 condition survey of Hove Library and the 2016 condition survey of Hove Museum has been carried out by an independent surveyor. This is an independent professional view and comment on the condition surveys, estimated costings done for both Hove Library and Hove Museum by the in-house building surveying team. It is a high level view commenting on the council's approach, findings and estimated costs.

3.15 Generally speaking the independent surveyor's report agrees with the comments in the council's condition surveys. It recommends a more detailed elemental condition survey be carried out on Hove Library in the areas that are inaccessible at a high level and that budget costs are low and could escalate once further specialist investigations are carried out. It recommends that a more detailed condition survey of Hove Museum is carried out and a budget review of costs once this is done.

3.16 Further information can be found about the repairs and maintenance costs in Appendix 2 Hove Cultural Centre Business Case, appendix 2: Repairs and Maintenance Information.

3.17 Summary of Costs for Proposed Changes:

Estimated capital costs summary:	Libraries development	Museum compliance & other issues	Totals
Hove changes	£1,349,711	£222,863	£1,572,574
Hollingbury changes	£58,000		£58,000
Totals:	£1,407,711	£222,863	£1,630,574
Hollingbury Library changes costs summary			
Cost of changes to Patcham and Hollingbury Children's Centre to accommodate the library			£27,000
Cost of changes to Old Boat Community Centre to accommodate the library			£20,000
ICT costs			£10,000
Moving costs			£1,000
Total			£58,000

Hove Museum extension and move costs summary	Cost arising from Libs development	Cost arising from compliance, H&S and maintenance issues for museum building	Totals
Building Costs, (incl fees, contingencies, etc)	£1,204,261	£222,863	£1,427,124
Moving Costs (incl new furniture & equipment, contingencies, etc)	£145,450		£145,450
Totals:	£1,349,711	£222,863	£1,572,574

The cost of building the extension and making the necessary changes to Hove Museum to accommodate the Library Service is £1,204,261. The other costs associated with the move bring the total to £1,349,711.

3.18 There is an additional estimated £222,863 needed to cover the costs of works required to the museum building to make it compliant with latest mechanical, electrical, fire and health and safety regulations, and to deal with related maintenance issues, and these works would need to be done regardless of the move of Hove Library into the building. Examples include the replacement of air conditioning units on the upper floor; replacement of the boiler and upgrading of gas, electricity and water services; upgrades to fire alarms and emergency lighting.

3.19 **Funding Sources:**

Of the £1,630,574 development costs:

- £1,350,000 is sought from ring-fenced capital receipts
- £222,863 of compliance work is sought from the Asset Management Fund
- £57,711 is sought from Libraries and Planned Maintenance budgets

The disposal of two library buildings should produce capital receipts estimated at £1,350,000:

- Hove Library Building – estimated at £1,000,000
- Hollingbury Library – estimated at £350,000
- Additional funding will be sought from grant funding bodies such as Arts Council England. Some monies maybe available for one off projects and small enhancements e.g. funds for a community/schools project to decorate the hallway, but the Council will not be seeking any capital projects funding through this avenue.

3.20 **Valuations and best consideration:**

3.20.1 Initial development appraisals were completed in October 2015 to provide an indication of value for both Hove and Hollingbury Libraries based on assumptions of change of use and conversion (Hove) and redevelopment (Hollingbury). The assumptions made included: no site contamination, a positive planning permission without onerous conditions and a clean title.

- 3.20.2 The valuation for Hove Library was based on an assumption of change of use and conversion, with the basement, part ground floor and upper parts converted to residential use totalling 7 flats and the front part of the ground floor converted to A3 use. The valuation reflects the Listed Building constraints and building condition.
- 3.20.3 Two valuations were prepared for the Hollingbury Library site, both based on low density housing comparable to the existing housing adjacent to the site. The first valuation was based on demolition of the existing building and development of 2 semi-detached residential properties and the second was based on demolition and development of 4 smaller terraced residential properties. Assumptions have also been made around a change of use issue, the current use D, a library and the retention of a community use.
- 3.20.4 The site has been further reviewed for redevelopment to flats and an initial feasibility has been carried out that proposes a 2/3 storey block comprising 10 units but it is extremely tight. There are a number of caveats to include assumptions around a sloping site, no parking on site, no site surveys have been done and planning would need to be consulted at an early stage as flats may be considered as too dense a development for the site as the neighbourhood is predominantly 2 storey houses. The council's valuers have looked at the valuation should planning be forthcoming for this feasibility and based on current build costs and the council's affordable homes policy the site is not viable for the development of a market scheme and produces a negative value. The costs of building the scheme are too high producing no residual land value.
- 3.20.5 It is therefore considered that the best option for the site would be gained by redeveloping it for four houses producing the optimum receipt for the site.
- 3.20.6 Other approaches have been considered including redevelopment of the whole Hove Museum site for enabling development but they are not thought to be deliverable or viable and compromise the planning position both in terms of heritage and public open space.

3.21 Other uses

- 3.21.1 Hove Library has been looked at in terms of potential community future use for part of the building in conjunction with the library and for the whole building.
- 3.21.2 It is considered that such use would not leave sufficient space to deliver the library, it would have poor access and would lack visibility from the street. Moreover, (a) rental values for a commercial operator would be reduced to account for the loss of space for circulation and access to the retained library service, (b) any letting to a community run organisation would be a weaker covenant and (c) based on experience on other lettings on the council estate, its ability to pay any rent would be minimal and based on their own "affordability assessment".
- 3.21.3 The building will be widely marketed to encourage interest from community uses in whole or part of the building, the latter contributing to a mixed use development to ensure the best use and value of the site. It is unlikely that the whole of Hove Library could be successfully disposed of for community use, the demand for the planning definition of community uses is unknown and it seems

that the building may be unsuitable for most of these due to its layout and potential listed building constraints. Other community uses that may present a “community benefit” under a wider definition could include a café, restaurant, gym, cinema and any “community control” of a commercial operation will suppress value. If the building was limited to a community future use it seems that the capital receipt would be significantly less than commercial/residential use and will therefore need to be tested when the property is marketed widely on the open market.

3.22 Planning

3.22.1 Planning advice for Hove Library is that planning policy does not require retaining all or part of the building for community use if the library has been re-provided in another building. The planning priority would be to ensure that there is a long term viable use for the retention and maintenance of this listed building.

3.23 Marketing and future use

3.23.1 A marketing appraisal will be considered for both properties and more detailed planning advice sought prior to disposal. Offers received will be dependent on what development can be approved by Planning and for Hove Library Listed Building consent. The council will appoint an agent to market both properties openly and widely to ensure maximum market coverage. The market is reasonably buoyant at the moment which could mean that the interest and offers received could be of benefit both in terms of potential future uses and financially. Potential future uses of the building can be controlled by our marketing and evaluation processes and through planning.

3.23.2 By marketing the site openly we can understand the level of interest, evaluate the bids and set out the pros and cons of prospective offers. Under section 123 of the Local Government Act 1972, the Council is under a duty to receive the best consideration reasonably obtainable and requires consent where this is not achieved. Such consent is either general or express. General consent is available where a council can demonstrate that the land sale will help to secure the improvement of the economic, social or environmental wellbeing of the local area, and the amount foregone is up to £2m less than market value. These are the circumstances where socio and economic benefits can be relevant. The undervalue itself still needs to comply with “normal and prudent commercial practices, including obtaining the view of a professionally qualified valuer.” Where the amount to be foregone exceeds £2m express consent is needed from the Secretary of State.

3.23.3 A report will be brought back to Policy, Resources & Growth following the marketing exercise appraising the offers received and setting out the proposed future uses for the buildings in particular for Hove Library, and disposal options available.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 For Hove Library:

An options appraisal of the 5 options considered can be found in the Business Case in Appendix 2. In summary:

4.1.1 Do nothing. If no savings are found from making changes to the operation of Hove Library, there would be a shortfall in the Libraries revenue budget of an estimated £336,634. This shortfall would need to be found from the budgets of other services in the council, which would put a disproportionate burden on other services and Libraries would not be contributing a fair share of savings. There would also be the continuing need for maintenance and repair of this Grade 2 Listed building. Current estimates indicate a need for between £301,125 and £735,350 of repairs over five years. The current building is difficult and expensive to develop more modern library facilities (e.g. digital resources, café, events and learning spaces, etc) and so the current trend of diminishing use could be further accelerated.

4.1.2 Keep Hove Library open and find the savings required of the library service from elsewhere within the libraries budget. All opportunities for savings or increased income are already being explored as part of the Libraries Plan, including reducing the costs of the Jubilee PFI, so the only other place to take the savings from would be community libraries. To find the £336,634 additional savings from within libraries without the proposed move of Hove Library could result in the closure of between 5 and 7 community libraries. This is based on the following:

Savings that can be delivered in current building, with operational and service changes	2016/17	2017/18	Total
Staffing savings	£69,296	£23,099	£92,395
Book fund savings	£30,100	£25,025	£55,125
Total	£99,396	£48,124	£147,520

Savings to be found elsewhere in Libraries budgets	£189,114
Average cost of running a community library (after changes to staffing being implemented this year)	£38,731, (of which, £27,719 is Libraries revenue and £11,012 is from Corporate Landlord budgets)
Equivalent number of community libraries to find £189,114 saving	Estimated between 5 and 7

4.1.3 Most significantly, this option is not supported by the Needs Analysis that was carried out in 2015 and would be most likely to result in a judicial review, as it is possible that this level of library closure would not meet the council's statutory duty to provide a comprehensive and efficient service.

4.1.4 Move the Hove Library service to Hove Town Hall. This option is unsuitable as it would be less accessible and visible as the available space is on the second floor. The location is also further away from the core Hove Library users. Although the Library Service could still deliver the £336,634 savings, the loss of rental income from this space would mean a reduction in Workstyles revenue savings of anywhere between £40,000 and £121,000 depending on the capital receipt for the Hove Library building.

- 4.1.5 Extend Hove Museum and move the Library into this building to provide a shared service and reduce the costs to provide both services. The proposal includes making changes to the way the service is delivered, such as more digital resources, increased self-service, and other modernisation changes. Sell the current Hove Library site to provide capital funding for this project. The benefits and costs have been outlined in section 3 above. (Preferred option)
- 4.1.6 Reduce Hove library to the first floor and let out the ground floor of the Hove Library building. This option whilst retaining the library in the current location, would reduce to library to a much smaller space and would not deliver the savings as the running costs would remain high and the rental income would not be sufficient to bridge the gap.
- 4.1.7 Other ideas were considered, assessed and rejected, such as operating Libraries Extra in Hove Library (i.e. have some days unstaffed and use technical systems to provide security). Commentary on why this was considered unsuitable can be found in the Business Case in Appendix 2.
- 4.1.8 The option to move Hove Museum into the Library was suggested at a late stage, and this has been considered in the revised business case. (See the end of section 3, page 9 of the business case in appendix 1) The main reasons why this is option is not viable are:
- 4.1.9 There is not enough space in the Hove Library building to accommodate the Hove galleries and collections without significantly reducing the collections of both the museum and library.
- 4.1.10 It would be difficult and expensive to convert the library to accommodate the museum due to the layout of the building and listed building constraints. Even with reduced collections, the building would need to have staff spread over three public floors, which would increase the need for staffing, so the level of potential savings would be reduced. This arrangement would also still leave the council with the liability of the maintenance of the building.
- 4.1.11 The impact on the museum would be significant. The reduction in gallery and collection space would restrict the capacity of the museum to deliver services, and would threaten the viability of the service. Hove Museum would lose the possibility of showing temporary exhibitions: The space at Hove Museum is already not really fit for that purpose, but the space at Hove Library is either worse or non-existent. The museum would lose dedicated classroom space, which means losing or certainly reducing the schools programme, and would result in loss of an education service, the income, and the footfall. It would also prevent the museum developing its adult programmes and workshops.
- 4.1.12 In terms of the Museum's site, the loss of this public open space is unlikely to be in line with the Open Space Strategy and planning policy, so the potential of the site is restricted.

4.2 For Hollingbury Library:

- 4.2.1 Do nothing. The impact of this option is that savings will not be met, and the high maintenance costs of this 1940's old pub building will continue. Revenue costs

would continue at £44,500 p.a. and £147,988 maintenance costs estimated over five years would remain.

4.2.2 Keep Hollingbury Library in its current location and operate it using Libraries Extra arrangements. Less than half the savings needed would be delivered and the buildings maintenance costs will remain. The opportunities to work more closely with the Children's Centre, the school and the Community Centre will be lost.

4.2.3 Move Hollingbury Library service to two new locations:

- Hollingbury and Patcham Children's Centre to operate a library service targeted at young children and families for three days a week, on a self-serve basis using volunteer help.
- Old Boat Community Centre in Hollingbury operating a seven days a week service to library users of all ages, on a self-serve basis using volunteer help and working in partnership with the community centre to provide services to meet the needs of local people.
- There will also be staff input on one day a week covering both locations.

This option will provide longer access to local people over seven days of the week and will enable greater community collaboration and engagement, whilst also delivering £26,500 of revenue savings, and avoiding the future maintenance and repairs costs (est. £147,988) (Preferred option).

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1. The Library Services Review and Needs Analysis was based on extensive research, consultation and community engagement and was reported to the Economic Development and Culture Committee in November 2015.

5.2. Staff and unions have been involved in the Libraries Modernisation programme and the details of this were reported in the Libraries Plan report to the Economic Development and Culture Committee in March 2016

5.3. Public and stakeholder consultation took place from November 2015 to February 2016, and was reported to the Economic Development and Culture Committee in March 2016

5.4. The views of most respondents who answered the question about Hove Library were in agreement with the proposals, with 57% tending to agree or strongly agree.

5.5. An analysis of the responses from those who said they were users of Hove Library resulted in a majority of 50% tending to agree or strongly agree with the proposals. (47% tended to disagree or strongly disagree, and 3% neither agreed nor disagreed)

5.6. In the analysis of all the responses, the specific question about Hollingbury Library resulted in 48% tending to agree or strongly agree and 22% tending to disagree or strongly disagree, with a high percentage (30%) neither agreed nor disagreed.

- 5.7. An analysis of the responses from those who said they were users of Hollingbury Library produced a different response: 38% tended to agree or strongly agree; 49% tended to disagree or strongly disagree; and 13% neither agreeing nor disagreeing.
- 5.8. As a result of detailed consultation with the Ward Councillors, the original proposals were amended to include the creation of an additional Community Library collection in the Old Boat Community Centre in Hollingbury to meet the library needs of all age groups, and the provision of staffing support to Hollingbury library locations for one day a week each.

6. CONCLUSION

- 6.1 In order for Library Services to continue to deliver statutory services with reduced budgets, Libraries need to modernise and deliver services in new ways. The Library Service Review and Needs Analysis has identified what people need from the service and the priorities for modernisation. The Libraries Plan 2016-2020 has set out the changes that are needed to implement this modernisation programme. The proposals for change put out for public consultation have received a high level of approval from the public, stakeholders and partner organisations.
- 6.2 Critical to the Libraries Plan are the proposed changes to the way library services are delivered in Hove and Hollingbury, creating a new cultural centre in Hove bringing together the library and museum, and working more closely with the Community Centre and Children's Centre in Hollingbury. The sale of the two old library buildings in these locations will fund the new developments in these areas.
- 6.3 The proposed changes will deliver a total of £363,134 of annual revenue savings (Hove and Hollingbury changes together). The detailed estimated costs for Hove and Hollingbury changes are £1,630,574. The estimated capital receipt for the sale of the two buildings is £1,350,000. The difference of £280,574 can be covered from contributions from existing library revenue budgets, asset management and planned maintenance funds and, if necessary, by borrowing any remaining shortfall and reducing the savings delivered until loan paid back. Borrowing would be undertaken over a 15 year period in line with the nature of the capital investment.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The disposal on the open market of the Hove Library Building and Hollingbury Library is expected to generate total capital receipts estimated at £1,350,000. The net receipt, less any disposal costs, will be ring fenced for reinvestment into the capital requirements of the Hove Culture Centre and the cost of changes to the Hollingbury library service pending confirmation of the final build and capital investment requirements associated with the schemes. Any delay in the disposal of the buildings and commencement of building works may result in some minor financing costs associated with short term financing costs.

- 7.2 Any surplus receipts from the disposal of the two buildings will be reinvested into the Council's corporate strategic capital resources for future capital investment priorities.
- 7.3 The cost of the works associated with the museum estimated at £222,863 to make the building compliant with the latest mechanical, electrical, fire and health and safety regulations could be met from the Asset Management Fund 2017/18 allocation and a further report to P&R will follow later in the financial year. The remaining shortfall in capital resources estimated at £57,711 will be met from existing Libraries revenue budgets and the Planned Maintenance Budget for 2017/18. In the event that a lower capital receipt is received for the disposal of the two buildings additional borrowing may be required to meet any shortfall in funding the project. The financing costs for this borrowing would be met from the revenue savings associated with the project. The cost of borrowing will be met over a 15-year period amounting to approximately £950 pa for every £10,000 of borrowing.
- 7.4 The investment will help deliver an estimated annual saving of £363,134 from Library and Corporate Landlord budgets by 2018/19 less any financing costs associated with borrowing to meet capital expenditure shortfalls. The savings associated with the Library budget have been built into the 4 Year Service and Financial Plans. The cost of running the library service at Hove and Hollingbury will be met from the remaining library and Corporate Landlord budgets.
- 7.5 The council's Four Year Service and Financial Plan assume the delivery of the savings identified in this report. There remains a budget gap for the council's budget overall and therefore, if the proposed changes to Hove Library do not go ahead, then alternative savings proposals will be required from the Library Service. Paragraph 1.7 of this report sets out potential alternative proposals of either reducing the size of Hove Library and introducing income generating activity alongside potentially closing 2 – 3 community Libraries; or keep Hove Library in its current form and closing between 5 and 7 community libraries.

Finance Officer Consulted: Name Rob Allen Date: 16/5/2016

Legal Implications:

- 7.6 As set out in section 3.23 of this report, in accordance with section 123 of the Local Government Act 1972 the Council will need to ensure that the disposal of the current Hove and Hollingbury Library buildings is for the best consideration that can reasonably be obtained. The terms of disposal will be referred to a future meeting of this committee. In this context it should be noted that if it is proposed that the land is appropriated for planning purposes (which will not be known until the detail of the disposal is agreed) a similar duty arises under the Town and Country Planning Act 1990, but there is no General Consent available i.e. where land is held for planning purposes and full value is not being received express consent from the Secretary of State will be required.
- 7.7 The proposed extension of Brooker Hall will be subject to the obtaining of planning permission for the same.

7.8 As stated at paragraph 1.1 of this report the Libraries Plan 2016-2020 was approved by the Council on 24 March 2016. The recommendations in this report are consistent with that approved Plan.

7.9 It is not considered that any adverse human rights implications arise from the report.

Lawyer Consulted: Bob Bruce Date: 19/5/16

Equalities Implications:

7.10 **Increasing equality** - A driving force of Libraries Modernisation is increasing equality and creating new opportunities for more people to access the services, information and activities they need in the community. The library acts as a resource for the whole community and a conduit to reach disadvantaged and vulnerable people. Equalities Impact Assessments have been carried out on the Hove and Hollingbury libraries proposals and have been incorporated into the Libraries Plan Equalities Impact Assessment. The Equalities Co-Ordinator has been involved in our assessments.

7.11 Potential impacts were identified regarding the Hove provision due to reduction in stock which could impact on low income library members who may have to pay a charge for reserving stock at another library. Concessions will therefore be maintained for those on a low income.

7.12 Stock reductions will be informed by historical analysis of lending trends. Over the last 11 years, the stock fund for Hove Library has increased by 53% while at the same time stock loans have dropped by 44%

7.13 It may be possible for improved accessibility to the library service and within the building, and for this to be undertaken as part of the improvement works. Possability (previously known as the FED) and local people will be engaged in identifying accessibility improvements.

Potential impacts were identified as a result of the original Hollingbury proposal to only provide a service in the Children's centre. These impacts were mitigated against by the inclusion of a second collection in Hollingbury to meet the library needs of all ages.

Sustainability Implications:

7.14 **Environmental sustainability** –The new extension will meet current building regulations with regard to thermal efficiency, low energy lighting and water use. The existing inefficient oil fired boilers in the museum will be replaced with efficient gas condensing boilers which will improve the energy performance for the whole building. The contractor will be required to meet the Councils requirements to meet or exceed 95% of the construction waste being recycled.

Any Other Significant Implications:

7.15 See appendix 1

SUPPORTING DOCUMENTATION

Appendices:

1. Other significant implications appendix
2. Business case for Hove Cultural Centre
3. Business case for changes to library provision in Hollingbury

Documents in Members' Rooms

Background Documents

1. Libraries Plan 2016-2020
2. Libraries Plan report to Council 24th March 2016
3. Hove Library condition survey (maximum) February 2014
4. Hove Museum condition survey (minimum) February 2016
5. Hove Library condition survey review (minimum) May 2016
6. Hove Museum condition survey review (maximum) May 2016
7. Independent Surveyors Review of condition surveys May 2016

Crime & Disorder Implications:

- 1.1 The Hollingbury service will move to less isolated premises, and so provide a safer environment to staff and library visitors.
- 1.2 Hove Library has experienced some anti-social behaviour in the past and the change of location gives an opportunity to design a layout that will reduce opportunities for unacceptable behaviour, is more child friendly and safe and secure for all visitors. CCTV will be installed, which is not currently in place in the Museum.

Risk and Opportunity Management Implications:

- 1.3 Risks and opportunities of the proposals have been assessed as part of the business case development. The risk register for these projects will be updated regularly throughout the implementation of the changes.

Public Health Implications:

- 1.4 **Health and well-being** – Links between reading improving health and wellbeing are being increasingly recognised. There is strong evidence that reading for pleasure can increase empathy, improve relationships with others, reduce the symptoms of depression and the risk of dementia, and improve wellbeing throughout life. Library spaces are already being used to provide adult social care services such as the Dementia Café. Libraries provide opportunities for greater social contact and helps in tackling loneliness. Libraries work in tackling digital exclusion also supports social inclusion and has health benefits.

Corporate / Citywide Implications:

- 1.5 The Libraries Modernisation proposals support the council's priorities and principles in the following ways, (in addition to those comments in the public health and equalities sections above):

Corporate Principles

Public accountability – Changes are being informed by needs assessment and public consultation.

Citizen focus – Libraries as community hubs are completely citizen focussed, and the proposed changes will utilise self-service to increase the times that services can be accessed. Recent qualitative research revealed that people want libraries to be developed as community centres and to become more of a community resource.

Active citizenship – Citizens will be engaged with developing and promoting library services through opportunities such as volunteering and fundraising. Local groups will drive the development of libraries as community hubs, as they will be encouraged to use the library during the extended days e.g. local schools bringing class visits, local carers groups holding mutual support sessions, etc.

Corporate Priorities:

Economy, jobs and homes - Community hubs and diversifying income will increase opportunities for education and employment activities for adults and children. Facilities are available for those who are digitally excluded. Library services can be used to support improving literacy.

Children and Young People – Increased opening hours will support more visits by schools who can carry out group visits during school hours. Increasing fund raising and grants will maximise the use of the library for all added value activities and projects which will include those aimed at children and young people such as study support.

Community safety and resilience – Libraries provide culture and leisure activities in the City that can promote community cohesion. Shared buildings can be used to foster positive relationships between public services and different communities.

Full Business Case and Options Appraisal

Programme/Project/Service Redesign Information	
Programme/Project/Service Redesign Name	Hove Cultural Centre
Directorate/Service	Neighbourhoods, Communities and Housing
Full Business Case Author (Name and job title)	Kim Bowler, Project Manager Sally McMahon, Head of Libraries and Information Services
Date Full Business Case drafted	Version Final (6 June 2016)
Senior Responsible Owner/ Project Executive (Name and job title)	Nick Hibberd, Acting Director, Economy, Environment and Culture Executive Director, Neighbourhood, Communities and Housing
Programme or Project Manager (Name and job title)	Kim Bowler, Project Manager

1. Executive Summary & Recommendations

Provide a summary of key points of the Business Case and recommendations for the governance group to consider

This Business Case has been developed to evidence the value of the proposal for a Cultural Centre for Hove. It includes an options appraisal of the alternatives considered, and demonstrates why the preferred option, to develop a new Cultural Centre in Hove bringing together the Library and Museum services, has been recommended.

The options appraisal has been carried out in the context of reducing council revenue budgets and the need for the Library Service to make significant savings whilst maintaining a service that is as good as it can be within the resources available, and meets the statutory requirements and local community needs.

This Business Case brings together key information that will inform a report for Policy & Resources Committee on 9th June 2016 seeking approval to:

- Sell the Hove Library Building, currently the home of Hove Library, estimated value of £1.0million
- Sell Hollingbury Library, estimated value of £350,000
- Fund the £1,572,574 development costs from:
 - Capital receipts: £1,292,000
 - Asset Management fund: £222,863
 - Libraries revenue budget and planned maintenance budgets: £57,711

Following approval, the project will need to go through the formal planning process.

In terms of the disposal of the Hove Library building, the recommendation is to market the Hove Library building as widely as possible to attract the broadest possible interest, including consideration of community use, to achieve the best possible future use of the Hove Library building and Hollingbury Library.

Objectives

What will the programme or project achieve/what changes will it bring about?

Full Business Case and Options Appraisal

The project will build a 250m² extension (current ground floor public space is 252m²) onto the back of Brooker Hall, the Hove Museum premises, in order to house both the library and museum service to create a Cultural Heritage Centre for Hove.

This Centre will provide a vibrant library and museum service at Brooker Hall that will:

- Benefit residents and future / current users,
- Expand what's on offer by enabling joint programming,
- Provide more efficient and resilient facilities within a reducing budget,
- Protect both services and better conserve library and museum collections
- Enable the deliver £336,634 of revenue savings in Hove Library services by 2018-19
- Reduce the future demands on maintenance budgets
- Improve the Brooker Hall property through significant maintenance and upgrading works

2. Background and context

What events, policies, issues, risks or opportunities have prompted it?

On 24th March 2016 the [Libraries Service Plan](#) was agreed at Full Council. Phase 2 of the Libraries Plan is to join together the Museum and Libraries services in Hove at the current museum site to create a new Cultural Centre for Hove.

As part of the Libraries Needs analysis a public consultation took place which included a survey that asked the question 'Do you agree or disagree with the proposal to combine Hove Library and Hove Museum in a newly extended building to create a new community/cultural centre for Hove?' The survey received 1,124 responses in total with the response to this question finding 57% strongly agree or agree to the proposal and 38% who disagree or strongly disagree.

The current Hove Library building was purpose built using an endowment of £10,000 from Andrew Hove Library, opening in 1908.

The annual cost of running Hove Library in its current location is disproportionately high compared to other libraries, with the annual expenditure for Hove being around a quarter of spend of all thirteen city libraries¹. In addition a survey in 7th February 2014² identified £735,350 of repairs and maintenance works needed (breakdown in the Appendix). A review of the condition of the building has been carried out in May 2016 to look at the minimum repairs and maintenance that could be done (£301,125), and there has also been an independent review of the condition reports on both Hove Library and Hove Museum buildings.

Loans in Hove Library dropped by 16% over the last two years, only 9% of the catchment population currently use Hove Library, Hove Museum building is more central in the catchment area of users.

The key reasons that the Hove Library building is considered unsustainable are:

- It is not possible to maintain the library service in this building within the reduced resources available. Staffing costs are disproportionately high and the high maintenance costs only add to the problem.
- Hove library is difficult to staff as it has 6 separate public areas to supervise, across two public floors, with staff office and workroom space in the basement and inaccessible stores in the attic galleries.

¹ Further detail can be found in the [Libraries Service Review and Needs Analysis 2015](#)

² Completed by Tony Steininger and Andrew Wilson of Brighton & Hove City Council Property & Design and supported by the M&E and Facilities Team. Project number J187

Full Business Case and Options Appraisal

- The building is Grade 2 Listed (inside and outside) so it is very difficult to make changes to update the way services are delivered – e.g. there is old and inflexible (and potentially dangerous) fixed wooden shelving around the walls.
- The internal space is inflexible and unsuited to delivering a modern public library service, making it difficult to provide the wide range of service people now expect from their public library, such as a café; fully accessible IT; meeting and community rooms; exhibition space and a shop to help boost income.
- The special heritage collections (e.g. Wolseley) are being housed in unsuitable environmental conditions, putting them at risk and making them inaccessible.

In 2003 there was a proposal to move the library to Hove Town Hall but this was rejected following pressure from the public and local campaigners. Hove Town Hall has been considered again as part of this options appraisal process, but is not as affordable or beneficial in terms of service delivery as the preferred option of a move to the museum building.

Which corporate principles and priorities (as outlined in the Corporate Plan) will it help deliver?

Citizen focused – working with local residents to deliver programmes and activities relevant to the audience. The new location will enable us to continue to provide a service that is used by residents to access a wide range of council and public services, general information and the internet. There will be increased opportunities for community involvement in projects and activities.

Increasing equality – ensuring that there continues to be free provision of literature and ICT support to those who need it and providing specialist activities and groups for minority or disadvantaged groups.

Active citizenship - creating more varied opportunities for volunteering and community collaboration within a joined up service.

Economy, jobs & homes – promoting literacy and learning, to improve employment opportunities and ensure digital competency. Provide money support and other drop in and support for those who are more vulnerable or have specific needs. There is potential for social enterprise involvement such as providers of a café.

Children and young people – provide a joined up approach to curriculum programming, encouraging of learning and reading, improving literacy.

Community safety and resilience – encouraging community activity and active citizenship that will foster safe neighbourhoods.

Environmental sustainability – the extension will be better insulated and improve the overall Property Performance Review score. The Cultural Centre will provide a destination point for Hove that may increase tourist footfall in the surrounding area.

What other programmes, projects or services does it link to?

This project is part of the Libraries Modernisation Programme which needs to save £1.34 million annual revenue expenditure over the next four years.

Under the Royal Pavilion and Museums modernisation programme, a procurement process is planned to consider alternative delivery models for the Royal Pavilion and Museums Service. The shared service location of Hove Library and Museums could have implications for this.

Full Business Case and Options Appraisal

The Community Collaboration Programme will suggest improved ways of working with partners, citizens and businesses to ensure community participation in the development and delivery of City objectives. The Cultural Centre should be able to utilise this model to ensure that local requirements are met and volunteering opportunities respond to community need.

3. Options Appraisal

	Option 1	Option 2	Option 3	Option 4	Option 5
Description of the Option	Do nothing i.e. make no savings in Library Services	Keep Hove Library as it is i.e. find savings elsewhere in Libraries	Move to Hove Town Hall second floor & sell Hove Library building	Move to Hove Museum & sell Hove Library building	Reduce Hove Library to first floor of Hove Library building and let ground floor for community/ commercial use
Key changes	No change to Libraries Services However, savings would need to be found in other council services. Estimated savings needed to be passed onto other services is £336,634 If some staff savings made and book fund reduced, this can be reduced to approx. £170,000	Potentially need to close 5-7 community Libraries, as savings of £189,114 would be needed (only £147,529 could be delivered at Hove). Savings from Jubilee PFI are already included in Libraries Plan. Equal Access service may need to be re-housed leading to additional costs.	Move to second floor of Hove Town Hall. Access is via stairs or one lift, with entrance door at back of the building. The Hove Library building would be sold.	Build new 250m ² extension to Hove to Hove Museum, and co-locating the library with the museum. Combine resources to provide cultural experiences beyond the traditional ways of browsing and learning. Develop the co-creation model, working with communities, families and children to ensure the service meets local need. Bring together heritage collections and develop intergenerational exhibitions and displays that appeal across age groups. Develop the existing café, garden and shops to increase income generation opportunities. The Hove Library building will be sold. The option provides a solution to avoiding high maintenance costs and reducing revenue costs, creating resilience for both library and museum services.	Let out the ground floor of the Hove Library building to bring in income. Reduce the library service to the first floor of the Hove Library building

Full Business Case and Options Appraisal

Project Timing	N/A	Estimated at one year to market, sell and manage closures	Hove Town Hall will be ready to move into from Sept 2016. Move estimated at two months	Following planning permission, build estimated at ten months. Move estimated at two months	Library changes est. at two months. Time to market and let space estimated at two to six months.
Size of library	618m ² public space	618m ² public space	Estimated 570m ² public space. 620m ² all space	Museum ground floor 520m ² public space (extension is 250m ²). Additional space on first floor for special collections storage and use, plus staff space on ground and second floors	347m ² public space on first floor Staff space in basement and storage in attic
Accessibility	Location is near bus stop Location is near Tesco car park. Only platform lift available so not easy to operate for some people as need to hold down button for duration of travel.	Reduced accessibility for people in 5-7 locations where community libraries would close.	Location is very accessible by bus. Car park opposite location. Would be problems if large groups arriving for activities such as baby boogie with buggies etc. Lack of visibility would discourage use.	Hove Museum is fully accessible having had a full lift installed in last refurbishment, and with disabled access, toilets and parking. All standard library services will be on the ground floor, with only special collections on the first floor. There are two bus routes and on-street parking (metered). Bus stop is a short walk away.	Location is near bus stop Location is near Tesco car park. Only platform lift available so not easy to operate for some as need to hold down button.
Relevance of location	Library remains off-centre of current library user core catchment area	Library remains off-centre of current library user core catchment area	Library would be further from core catchment area.	Location is closer to core catchment area. Combining library and museum service would mean museum users would be encouraged and would find it easier to visit the library and visa-versa	Library remains off-centre of current library user core catchment area

Full Business Case and Options Appraisal

Size of stock	No change	Stock would reduce only slightly at Hove Library as the loss of so many community libraries would generate a need to maintain stock levels in Hove as less buildings around the city to house books. £55,125 reduction in book fund for Hove Library	Stock will be reduced to reflect changing borrower habits, move towards more electronic resources and to be in line with other similar library services book fund spending. Reduction of £100,100 in book fund for Hove Library	Stock will be reduced to reflect changing borrower habits, move towards more electronic resources and to be in line with other similar library services book fund spending. Reduction of £100,100 in book fund for Hove Library	Stock will be reduced to reflect changing borrower habits, move towards more electronic resources and to be in line with other similar library services book fund spending. Reduction of £100,100 in book fund
Benefits / dis-benefits for Libraries	Hove Library building is retained as the library site for Hove.	Hove Library building is retained as the library site for Hove. Around half the community libraries in the city would need to close to deliver necessary savings, reducing access for half the city population, especially children and young people who are less able to travel to other locations. Highly likely that this level of closures would not meet statutory duty.	One public space all on one level so easier to monitor and service. Close to services to which library refers people such as CAB etc. Removes need to find high maintenance costs for Hove Library. Accessibility is the key dis-benefit, plus move away from core catchment area. Hove Library building is sold. Small reduction in public space.	Creates an important community resource; potential to attract new library members from museum visitors; opportunity to create a broader cultural offer such as adult education, talks, and workshops; catalyst for new projects attracting funding to broaden the arts and cultural experiences available in Hove; development of new facilities such as a cafe, shop and garden; dedicated research space for those consulting the special collections; bringing together heritage collections of libraries with those of museums; shared running costs with museums; removes need to find high maintenance costs for Hove Library of estimated £735,350 over five years (maximum), minimum shorter term repair specification of £301,125. Hove Library building is sold. Small reduction in public space.	Space is small so the library offer would be reduced. Access is poor (just a platform lift), which would discourage use. Lack of visibility on first floor. Income from rents unlikely to be sufficient to cover savings required. Would still have building maintenance issues to fund.

Full Business Case and Options Appraisal

<p>Benefits / dis-benefits for other services</p>	<p>Budget savings will still need to be found and other services would be put at risk. Hove Museum does not benefit from the upgrading that would come with the move of libraries into the building.</p>	<p>Where libraries that would close are co-located with other services (most of them are), there would be a financial and service impact on these services. These include: Children's Centres (2), schools (2), GP surgery, museum and art gallery, community centre (3); supported housing.</p>	<p>Second floor location will reduce access and use, particularly those who most need library services. Further away from core catchment area.</p>	<p>Benefits to Hove Museum include; increased visitor numbers; increased income opportunities; increased resilience; maintenance and repair to building completed; new purpose build hanging exhibition space on ground floor; new affordable café facilities; new outside designed for events and activities; opportunity to create new and imaginative offer to local people in partnership with Libraries; joint programming of events; shared running costs with Libraries.</p>	<p>Less opportunity to work with other services with library in such confined space.</p>
<p>Planning issues</p>	<p>None</p>	<p>None</p>	<p>None</p>	<p>Planning advice from the Conservation Officers has been sought and has influenced the development proposals. The re-provision of the library services means that there is no requirement to retain all or part of the Hove Library for community use. Planning priority would be to ensure that there is a long term viable use for the retention and maintenance of listed building.</p>	<p>Change of use for the ground floor unlikely to be satisfactory to planning as there is a loss of library service provision.</p>
<p>Risks</p>	<p>Key risk is that other services not able to cover the savings and so Libraries ultimately has to find them which leads to option 2 scenario.</p>	<p>Reduction in number of community libraries results in many residents unable to access library services and use declines. Highly likely that service does not reach statutory requirements.</p>	<p>Reduction in use due to reduced accessibility. Limited opportunity for income generation.</p>	<p>Capital receipt from sale of Hove Library might not achieve funds needed, especially if whole of building is for community use New cultural centre might not meet customer expectations. Transfer of museums to Trust might cause complications in developing joint working.</p>	<p>Rental costs may be high and unattractive Building use may impact on library opening hours Maintenance and running costs could increase.</p>

Full Business Case and Options Appraisal

Revenue Savings	None	£69,296 reduction in Hove staff £30,100 reduction in Hove book fund Remaining £237,238 would need to be found from closing libraries.	Although the Library Service could still deliver the £336,634 savings, the loss of rental income from this space would mean a reduction in Workstyles revenue savings of anywhere between £40k and £121k depending on the capital receipt for the Hove Library building.	£336,634 estimated revenue savings if estimated capital receipt achieved. This includes savings that can also be delivered in other options (e.g. book fund savings, and some of staff savings) The lower the capital receipt the more difficult it is to achieve the library revenue savings as the cost of borrowing for all of the development cannot be met by Libraries. Would have to either close other libraries or secure other capital funding	Est. £250k libraries savings possible. But est. income from ground floor (£50k - £60k or less if community use) would be off-set by reduction in library income, which would be inhibited by the smaller space.
Capital Receipts	None	Sale of Community Libraries	From Nil to estimated £1 million, depending on disposal of Hove Library building	Estimated £800,000 to £1,000,000 if commercial / residential use This would be reduced if community use, and could be nearer to nil if whole building is taken on for community use	None
Capital Costs	None	None	None	£1,427,124 building and upgrading costs	
Revenue Costs	Costs may increase over time if further maintenance and restoration work is identified	Costs may increase over time if further maintenance and restoration work is identified	Estimated £145,450 for IT, furniture, equipment and removals	Estimated £145,450 for IT, furniture, equipment and removals	Not estimated as reduced space for library services makes this option unattractive

Options appraisal (cont.)

A further two options have been considered at a late stage at the request of Members.

Option 6: 'Could the Libraries Extra programme have delivered savings in the Hove Library building?'

Libraries Extra is not suitable for a large multi-roomed, multi floored, library like Hove Library for three main reasons: safety of library users, level of service provision, and cost.

The most important concern is for the health and safety of the library users. Libraries Extra operates with no staff. It is our assessment that the risks of operating Libraries Extra in a large multi-roomed library in this location would be very high and difficult to mitigate. There have been a number of incidents involving the public and as result the library always has at least one security guard on site throughout opening hours. Also the building itself has many hidden corners and blind spots making spotting and responding to incidents much more difficult. The move to the Hove Museum site gets around this problem as we would be able to share security resources with the Museums Service.

Hove Library provides a broader range of services than a community library, and these would be difficult to sustain if no staff were present, or even if they were present for only a few days a week as is the case with community libraries. Libraries Extra is not suitable for high use libraries, and this is reflected in the fact that the Libraries Plan proposes to increase the staffed days in the highest used community library (Patcham) to 5 days a week. It makes no sense to reduce Hove Library to fewer days of staffed delivery.

The cost of installing the necessary security and access equipment is estimated at £68,500 and the revenue costs are estimated at an extra £40,000 p.a. for the equipment. If this were implemented in Hove Library, there would need to be less of a reduction in staff, for the days the library was staffed, so this would further reduce the savings achieved. The reduction in staffing savings would be in the region of £74,000, so instead of achieving over £200,000 in staffing savings, this would be reduced to £128,000, and then reduced again to £88,000 to cover the increased revenue costs of the security and access equipment.

The shortfall in savings (estimated £125,000) would then need to be found from elsewhere, which is equivalent to an estimated four community libraries closing.

Added to this, the high cost of buildings maintenance and repair would remain.

Option 7: 'Could Hove Museum be moved into Hove Library?'

Currently Hove Museum has 272m² (approx.) of gallery space on the first floor, plus temporary exhibition space on the ground floor, with an education room for school visits, craft activities etc. There is also a café and outside garden space, and the Jaipur Gate in the grounds which forms part of the museum collection, donated to the museum in 1926. There are also significant storage and staff workshop spaces on the third floor.

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There would not be enough space to incorporate the Museum into the Library building without significantly reducing the collections of both services. Investigation of the basement voids is taking place. However, even if there is usable space there, it would not be big enough to house the museum galleries, using the ground floor level of the library as a guide to the potential space. The current staff space would need to be re-provided elsewhere in the building further reducing public library space.

It would be difficult and expensive to convert the library to accommodate the museum due to the layout of the building and listed building constraints. Even with reduced collections, the building would need to have staff spread over three public floors, which would increase the need for staffing, so the level of potential savings would be reduced. This arrangement would also still leave the council with the liability of the maintenance of the building.

The impact on the museum would be significant. The reduction in gallery and collection space would restrict the capacity of the museum to deliver services, and would threaten the viability of the service. Hove Museum would lose the possibility of showing temporary exhibitions: The space at Hove Museum is already not really fit for that purpose, but the space at Hove Library is either worse or non-existent. The museum would lose dedicated classroom space, which means losing or certainly reducing the schools programme, and would result in loss of an education service, the income, and the footfall. It would also prevent the museum developing its adult programmes and workshops.

Hove Museum and Art Gallery had a redevelopment completed in 2003 which primarily funded by Heritage Lottery Fund (HLF) and Arts Council England (ACE). There has also been further funding by ACE for projects at Hove Museum. It is possible that if the museum was closed and relocated that the funders would ask for a refund on their investment.

In terms of the Museum's site, the loss of this public open space is unlikely to be in line with the Open Space Strategy and planning policy, so the potential of the site is restricted.

4. Preferred Option

Indicate which is the preferred option of those described

OPTION 4: the preferred option

1. Description of the option

Describe the option that is being explored. Including any evidence base, this should include benchmarking data and needs analysis undertaken.

The proposal is to build a ground floor one storey extension onto the back of the existing Hove Museum building. The library will move into these premises with the library and museum services being co-located. The proposal includes making changes to the way the service is delivered, such as more digital resources, increased self-service, and other modernisation changes.

A joint service offer would be provided that would aim to:

- To combine resources to provide cultural experiences beyond the traditional ways of browsing and learning
- Develop the co-creation model, working with communities, families and children to ensure the service meets local need and is supported locally

Full Business Case and Options Appraisal

- Bring together heritage collections and develop intergenerational exhibitions and displays that appeal across age groups
- Develop the existing café, garden and shops to increase income generation opportunities
- The Hove Library building will be sold.

The option provides a solution to avoiding high planned maintenance costs and reducing revenue costs, creating resilience for both library and museum services.

A further breakdown of finances is provided in Appendix 1.

2. Is this the preferred option?

Yes or no and a brief explanation why.

Yes option 4 is the preferred option. For reasons outlined in section 2 objectives and section 3 background and context above.

3. Cashable benefits

What are the anticipated financial savings from the programme or project? Profile the savings over the lifetime of the programme or project.

	Year 1 2016/17	Year 2 2017/18	Year 3 2018/19	Total
<i>Property maintenance (libraries budget)</i>			£8,511	£8,511
<i>Employees (libraries budget)</i>	£69,296	£23,099	£110,005	£202,400
<i>Supplies & Services (libraries budget)</i>	£30,100 Book fund	£25,025 Book fund	£47,305 (of which £44,975 is book fund)	£102,430 (£100,100 is book fund)
<i>Property running costs (Corporate Landlord)</i>			£23,293	£23,293
Total	£99,396	£48,124	£189,114	£336,634
Total directly linked to relocation			£189,114	£189,114
Total related to changes in the way services are delivered	£99,396	£48,124		

NB: Definition of what each heading covers:

- Property costs include: heating, lighting, water, rates, cleaning, waste disposal, fire and intruder alarms etc
- Employee costs covers full salaries costs, training and development
- Supplies and Services covers almost all other costs such as ICT, telecoms, stationary and other supplies, books, newspapers, e-books, audio-visual resources, subscriptions and online services.

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- The bulk of the reduction in supplies and services costs is a result of the reduction in materials fund for books and other resources (£100k).

Reasons for reducing the book fund:

The materials fund allocated to Hove has become disproportionate to the role Hove library has within the service. There has been a 16% reduction in loans and 15% drop in visits to Hove Library, which is half as much again as the average for the library service as a whole (10%). More materials fund is being gradually moved to digital resources which is not allocated to specific libraries as they are available to all regardless of location.

Looking historically, in 2003 Libraries spent £95,000 on stock for Hove and this has increased by 53% since then (higher than the rate of inflation), while at the same time, stock issues in Hove Library have dropped by 44% from 349,202 to 194,352 in 2014-15.

Looking comparatively to similar authorities, Brighton & Hove have the highest spend on library materials (books and other resources) within the CIPFA comparator group (£2,362 per 1,000 population, the average being £1,499). So there is clearly some room to reduce spending on books and other resources and for the service to still meet local needs.

The proposed reduction to Hove Library book fund is dependent on whether the move takes place, as if there is a need to close other service points to cover the reduction in savings, it might be necessary to maintain a bigger stock in Hove as people who have lost their local neighbourhood library would need to borrow from the Hove and Jubilee collections.

4. Non-cashable benefits

Every non-cashable benefit (or improvement) should be expressed in measurable terms, and the current situation understood and baselined before the programme or project is implemented. Include benefits from the perspective of the customer

Current situation	Benefit expected	Measured outcome that you hope to achieve	How will the benefit be measured?
Separate services in separate buildings	Improved visitor experience through joint use of space	Increased attendance and repeat visits	Visitor numbers Visitor feedback
Activities and programmes are separate	Joined up programming that will provide activities across both services	Increased attendance at activities	Attendance numbers School visits Visitor feedback
Separate projects and funding bids	Increased opportunity for funding bids	Increased one off projects	Number of bids Income generated Number of projects

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			Community engagement in projects
£735k (maximum specification) to £301k (minimum specification) of maintenance needed for Hove Library Building *	Cost is not incurred	Other services do not need to find additional savings	Cost is avoided
£439k (maximum specification) to £80k (minimum specification) of maintenance needed for the Hove museum building *	Large part of this maintenance will be covered by the development (223k)	Maintenance achieved	Costs of future repairs and maintenance shared

*A review of the conditions surveys, indicating the range of costs from minimum to maximum specifications can be found in **Appendix 2**

5. Costs (capital and revenue)

What are the capital and revenue costs of the programme or project? Profile these costs over the lifetime of the programme or project.

	Year 1 2016/17	Year 2 2017/18	Year 3 2018/19	Total
Capital costs				
<i>Building costs</i>		£1,204,261		£1,204,261
<i>Compliance & H&S costs</i>		£222,863		£222,863
<i>Moving costs</i>		£142,450		£142,450
<i>Hove Library Security</i>		£3,000		£3,000
Revenue costs				
Totals (per year) & grand total		£1,572,574		£1,572,574

When will payback occur? What is the Return on Capital Employed?

Payback on the capital investment will occur when the Hove Library and Hollingbury libraries are sold and the capital receipt is received. In addition to this, the revenue savings (see cashable benefits table no.3) of £336,634 being delivered by 2018/19.

The cost of building the extension and making the necessary changes to Hove Museum to accommodate the Library Service, plus the cost of the move is £1,349,711.

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There is an additional £222,863 needed to cover the costs of works required to the museum building to make it compliant with latest mechanical, electrical, fire and health and safety regulations, and to deal with related maintenance issues, and these works would need to be done regardless of the move of Hove Library into the building. Examples of the sort of work needed includes the replacement of air handling unit on the upper floor; replacement of the boiler and upgrading of gas, electricity and water services; upgrades to fire alarms and emergency lighting.

Specialist contractors have visited the building and estimate to provide more accurate assessments of the works needed to a greater level of detail than is normally achieved at this stage in a development project, providing a greater level of risk management over costs.

6. Funding

Have the budgets to fund the programme or project been identified? Specify which budgets.

Funding			
Capital receipts (less £58,000 to fund Hollingbury costs)	£1,292,000		
Asset Management Fund		£222,863	
Planned Maintenance Budgets and Libraries revenue budget.	£57,711		
Total Funding	£1,349,711	£222,863	£1,572,574

Will the programme or project be in receipt of any funding? Profile the funding over the lifetime of the programme or project.

	Year 1 2016/17	Year 2 2017/18	Year 3 2018/19	Total
<i>Funding</i>		£1,572,574		£1,572,574

Please identify the funding source(s)

See above, plus:

Additional funding will be sought from grant funding bodies such as Arts Council England. Some monies maybe available for one off projects and small enhancements e.g. funds for a community/schools project to decorate the hallway, but the Council will not be seeking any capital projects funding through this avenue.

7. Resources

What staffing resources are required to deliver the programme or project?

Service	Why are they required?	Quantify the requirement (fte)	When are they required?	Has the service been consulted and what did they say?	Are the staff available?
Operational staff	Form project		Ongoing	Additional	Yes

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	team Mange stock Pack items			staff have been added to costs	
Communications	Management of project opposition Promotion of new service Advice on joint coms management of service		Ongoing		
Finance	Monitor project finances	½ day a month	Ongoing	Yes	Yes
Human Resources & Organisational Development	Advice regarding new staffing roles and JDs	Minimal			
ICT	Fitting of new cables				
Internal Audit	None				
International Team (knowledge of funding opportunities)	Seek out possible funding opportunities				
Legal & Democratic Services	Contracts Planning				
Performance, Improvement & Programmes	Project Manager	0.4FTE (2 days per week)	Ongoing		
Policy, Communities & Equalities	Community engagement				
Procurement	Contractors				
Property & Design	Architects Management of works and contractors Property sales	1 FTE 2 days per week	Ongoing	Yes – Property & Design have produced the feasibility costings and initial design	Yes
Sustainability					
<i>Are any specialist skills required to deliver the programme or project (beyond those identified</i>					

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above)? If so, how will these be acquired?

Specialist library designer costing less than £1,000 (used previously by library service) to provide support in placing library shelving to make best use of space and ensure an attractive layout that will encourage movement through the building.

8. Risks and opportunities

Assess the risks and opportunities associated with the programme or project by using the council's Risk Management Framework and risk register template. List the most significant risks in the table below and the initial mitigating actions.

Risk description	Potential consequences	Mitigating controls and actions	Likelihood (1 = almost impossible 5 = almost certain)	Impact (1 = insignificant 5 = catastrophic / fantastic)
Combined capital receipt from sale of libraries does not achieve £1.35 million	Capital receipt unable to cover the costs of development	<p>Will start marketing the properties immediately and widely to encourage interest from all sectors, as currently market is good</p> <p>Have looked carefully at values of properties</p> <p>Commercial agents views back up our values, made on the assumption of residential and commercial use of the Hove Library building, and residential development of the Hollingbury Library site</p> <p>Potential to borrow to cover shortfall as borrowing costs relatively low at this time</p> <p>Compliance costs being covered by Asset Management Funds creates a 'buffer' and means a stronger capability to cover shortfall by borrowing</p>	3	3
Construction costs are higher than expected	New works are discovered leading to delays and additional costs	<p>Contingency has been included in costs</p> <p>Property and design experts have been used to provide detailed costings at an early stage</p> <p>Surveys have been undertaken as early as possible</p> <p>External expert contractors have been/will be used where relevant</p> <p>Finance officer engaged to</p>	3	3

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		<p>monitor expenditure</p> <p>Additional funding streams identified to cover any shortfall</p>		
<p>Customer expectations exceed what can be delivered from the development</p>	<p>Visitor numbers fall</p> <p>Customer satisfaction is low</p> <p>Service is no longer viable</p>	<p>Public meetings and online consultation has taken place</p> <p>Information provided to public has been up-front and honest about limitations of the development</p> <p>Service will be developed using further stakeholder engagement including: local residents and community groups, museum and library members and local schools</p> <p>Both services hold extensive customer insight data that will be utilised to shape service offer in line with need</p> <p>Relationships to be developed with organisations providing similar to identify best practice</p>	3	3
<p>Museums moving to Trust status leads to difficulties in joint working</p>	<p>Space cannot be agreed</p> <p>Joint programming does not happen</p> <p>Joint funding opportunities not explored</p>	<p>Both services experienced in cross team and partnership working</p> <p>The Keep is example of three organisations working together on shared outcomes.</p> <p>Service managers already have a positive working relationship</p> <p>Project team is made up of staff from both services who are actively involved in planning and decision making</p> <p>Regular workshops to aid joint working</p> <p>Both services will significantly gain from working together</p> <p>Shared service priorities through the Council and under Arts Council England</p> <p>Shared interest in special collections and historic materials</p> <p>Service Level Agreement or similar to be utilised to clarify roles and responsibilities</p> <p>Joint business plan and key performance indicators will be</p>	2	3

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	developed		
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9. Outline programme or project plan

Indicate the timeline for the programme or project with key milestones, including when decisions are needed and by whom, and deliverables.

Plan is attached in Appendix 2.

10. Stakeholder consultation

List any consultations with stakeholders and the findings. Examples of stakeholders include citizens, staff, partner organisations, Members.

Libraries and museums have been working together to develop the project vision and business case including; weekly project meetings, risk workshop, visioning activity.

Public consultation has taken place which has involved the Libraries consultation a public meetings in the Library and in the Museum. It was noted that questions and conversation has moved from why and what to how and when, suggesting an acceptance and support for this project.

Libraries online consultation found the majority favoured the proposal.

Members have been engaged by Senior Management from the Libraries and Museums services.

Media coverage from the Leader of the Council and other members has been supportive of this project proposal. Articles and quotes have been presented to the public that highlight exactly what is being suggested and why.

11. Equalities

Has an Equalities Impact Assessment been conducted for the programme or project? Is one required? When will it be undertaken?

An Equalities Impact Assessment has been undertaken using the Budget Setting Template, as part of the Libraries Plan, which was agreed in March 2016.

Potential impacts were identified due to reduction in stock which could impact on low income library members who may have to pay a charge for reserving stock at another library. Concessions will therefore be maintained for those on a low income.

Stock reductions will be informed by historical analysis of lending trends, it is known that lending has reduced by 16% over the last two years and so reductions reflect this.

It may be possible for improved accessibility to and within the building, and for this to be undertaken as part of the improvement works. 'Possability People' (previously known as the FED) and local people to be engaged in identifying accessibility improvements.

Further equalities impact assessment work with the Equalities Officer will continue to inform the proposals as they develop.

12. Sustainability

*What significant environmental impacts is the project likely to have?
Are there any implications for the local economy and local communities?*

The new extension will meet current building regulations with regard to thermal efficiency, low

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energy lighting and water use.

The existing inefficient oil fired boilers in the museum will be replaced with efficient gas condensing boilers which will improve the energy performance for the whole building.

The contractor will be required to meet the Councils requirements to meet or exceed 95% of the construction waste being recycled.

Authority to proceed

This business case needs to be approved via the appropriate governance route before the programme or project can be implemented. Please complete the table below to confirm where this authority was obtained. Please ensure the agreement was minuted

Meeting where authority to proceed was obtained	Date of meeting

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APPENDIX 1 – Breakdown of finances

<i>Information in table 5 (Project Capital Costs)</i>			
Item	Cost arising from Libs development	Cost arising from compliance, H&S and maintenance issues for museum building	Totals
Part 1 - Building Costs			
Build (Rev C)			
New extension and alterations	£612,200		
mechanical and electrical services to existing building	£37,475	£73,700	
Additional items	£72,800	£40,250	
Site/infrastructure works	£75,200	£42,500	
	£797,675	£156,450	£954,125
Fees, surveys etc. @ 12%	£95,721	£18,774	£114,495
Prelims(17.5%) overheads (6.45%) design & devel(1.5%) conting(5%) (30.45%)	£242,892	£47,639	£290,531
Tender price inflation	£67,973		£67,973
Totals	£1,204,261	£222,863	£1,427,124
Part 2 - Moving Costs			
Libraries - removals	£7,000		
Libraries - additional library staff for packing/unpacking	£5,000		
Libraries - stock management and prep for move	£6,000		
Museums - costs of temporarily moving objects	£7,000		
Museums - additional museum staff for move period	£3,500		
Museums - Skip hire	£1,000		
New furniture and equipment	£100,000		
10% Contingency (on moving costs only)	£12,950		
	£142,450		£142,450
Part 3 - Hove Library Security			
Security for Hove Library when empty up to 6 months	£3,000		£3,000
Total	£1,349,711	£222,863	£1,572,574

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Funding			
Capital receipts (less £58,000 to fund Hollingbury costs)	£1,292,000		
Asset Management Fund		£222,863	
Planned Maintenance Budgets and Libraries revenue budget.	£57,711		
Total Funding	£1,349,711	£222,863	£1,572,574

Revenue Budget Changes:

Item	Budget	Costs shown for a full year		Total permanent savings
		Current costs	Future costs following move	
Property	Libraries	£24,434	£15,923	£8,511
Employees	Libraries	£336,092	£133,692	£202,400
Supplies & services	Libraries	£157,430	£55,000	£102,430
Income	Libraries	-£42,158	-£42,158	£0
	Total Libraries	£475,798	£162,457	£313,341
Property	Property & Design	£44,721	£25,893	£18,828
Other				£4,465
Total		£520,519	£188,350	£336,634

Appendix 2: Repairs and Maintenance Information

Hove Library

Condition Survey – The 2014 Hove Library condition survey was undertaken in response to a Client request as consideration was being given to the future of the Library service. The condition data was provided in a report dated 7th February 2014 to provide additional commentary of findings and recommended remedial works. The condition survey is found in full in appendix A with a tabulated summary of the recommended remedial works and estimated costs.

Hove Library Roof - When the original survey was undertaken two years ago it was noted that at some point, possibly around the 1970s, the roof (likely to have been originally slate clad) had been recovered in Redland 49 interlocking concrete tiles. This was a popular measure adopted on a number of buildings around this time and beyond. Conservation issues aside, the replacement of a slate roof covering with a heavier concrete tile can cause structural issues requiring additional timber supports within the roof structure. Over time as concrete tiles weather they become more water absorbent which can compound any weight problems possibly resulting in deflection to the ridge line and structural issues dependent upon the main supporting structure. Due to the condition of the weathered concrete tiles at the time of inspection in 2014, the Hove Library survey report recommended replacement within a three year period with slate which would be more in keeping with a grade 2 listed building within a designated conservation area at an estimated cost of £100k.

Recent correspondence has questioned whether the roof could be repaired or recovered in like for like concrete tiles as it can hardly be seen. Conservation Planning were approached and their response was;

‘With all listed building repairs our advice is that as long as the existing item is not unauthorised, like-for-like replacement or patch repair does not need listed building consent (presumably the tiles pre-date the building’s listing in 1992). Like-for-like means exactly matching. Replacing non-original items with appropriate ones is welcome and will represent improvements the Listed Building, however, it will generally need listed building consent. If the replacement of the concrete tiles involved precautionary reinforcements to the roof structure listed building consent would be required due to the structural work. Our preference of course is for the reinstatement of original materials to details that are based on historic evidence, and this is what we encourage (to sustain or enhance the significance of the heritage asset in accordance with the National Planning Policy Framework), not only for aesthetic reasons but also because the existing replacement materials may be causing harm to the structure i.e. extra loading from concrete tiles, breathability from cement pointing, render etc.’

Therefore localised repairing, and possibly even the recladding in like for like concrete tiles, are alternative options to recovering the roof in slate, although the latter is not one recommended. Adopting the former approach of repairs is a shorter term solution to reducing cost but would create an additional maintenance backlog need in future years. This option has been included in the minimum specification review. Hove Library was revisited on 11th May 2016 by the Building Surveyor who led on the original survey and a Senior Building Surveyor. This was to review current condition two years on from the survey and provide a

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review document to identify noted amendments plus, as requested, any possible reductions in the recommended remedial work to a more minimum specification. The review document is within Appendix B.

In summary, the 2014 report can be considered as approaching a maximum specification for building fabric planned maintenance and totals £735,350 including a 10% contingency sum but excluding professional fees. Minimum repair specifications options have been considered and these include more localised repairs to external elevations, concrete tiled roof, parapet copings, brickwork, leadwork, rainwater goods and internals. The 2014 report also included some betterment items for energy efficiency works and proactive asbestos removal. These have been omitted from the review document. The review document offers a reduced total minimum shorter term repair specification of £301,125 including a 10% contingency sum (excluding professional fees).

Hove Museum

Condition Survey – As part of the council's rolling programme of condition surveys a building fabric condition survey of Hove Museum was undertaken on 4th February 2016. Data was collected using the same standard industry approach for assessing condition and priority and loaded into the format as seen for the council's new Asset Management software system Atrium. The condition survey is found in appendix C.

Condition Survey Review - The Museum has been revisited on 6th May 2016 by the Building Surveyor who undertook the February survey and the Building Surveyor who led on the Hove Library fabric survey. This was to review the survey's recommended remedial works and provide a document to identify a maximum specification for comparison with the original Hove Library report. The review document is within Appendix D

Note that a maximum M&E specification would be based upon anticipated upgrades/replacement of existing systems to enable services to be provided to the proposed extension. Should this not be required then the minimum specification of £20,000 should be sufficient for the 5-year period. Building fabric wise it was considered prudent within a five year period to include for full external repairs and redecoration to all elevations, asphalt roof replacement rather than localised repair, brickwork repointing to the tower and internals. In summary, the original report can be equated to a minimum specification totalling £72,700 and plus a 10% contingency = £79,970 (excluding professional fees). The maximum specification totals £398,800 and plus a 10% contingency = £438,680 (excluding 10% professional fees).

An independent review of the condition surveys of both Hove Library and Hove Museum has been carried out by an independent surveyor. This is an independent professional view and comment on the condition surveys, estimated costings done for both Hove Library and Hove Museum by the in-house building surveying team. It is a high level view commenting on the council's approach, findings and estimated costs.

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Programme/Project/Service Redesign Information	
Programme/Project/Service Redesign Name	Hollingbury Library proposals
Directorate/Service	Neighbourhood, Communities and Housing
Full Business Case Author (Name and job title)	Sally McMahon
Date Full Business Case drafted	Version 6 (17 May 2016)
Senior Responsible Owner/ Project Executive (Name and job title)	Nick Hibberd, Acting Director, Economy, Environment and Culture Executive Director, Neighbourhood, Communities and Housing
Programme or Project Manager (Name and job title)	Lucy Castle, Project Manager

1. Executive Summary & Recommendations

Provide a summary of key points of the Business Case and recommendations for the governance group to consider

This Business Case has been developed to evidence the value of the proposals for changing the location of library service delivery in Hollingbury. This Business Case brings together key information that will inform a report for Policy & Resources Committee on 28th April 2016 seeking approval to;

- Sell Hollingbury Library, estimated value of £350,000
- Fund the move of Hollingbury Library to the Hollingbury & Patcham Children’s Centre and the Old Boat Community Centre from corporate capital funds, total estimated cost: £58,000

2. Objectives

What will the programme or project achieve/what changes will it bring about?

Provision of two new library service points in Hollingbury to enable 7 day a week access at reduced running costs by working in partnership with the Children’s Centre and the Old Boat Community Centre.

3. Background and context

What events, policies, issues, risks or opportunities have prompted it?

On 24th March 2016 the [Libraries Service Plan](#) was agreed at Full Council. Phase One includes changes to the way library services in community libraries are delivered.

As part of the Libraries Needs analysis a public consultation took place which included a survey that asked the question ‘Do you agree or disagree with the proposal to move Hollingbury Library to the Hollingbury Children’s Centre and increase Patcham Library hours?’ The survey received 1,124 responses in total with the response to this question

48% tending to agree or strongly agree and 22% tending to disagree or strongly disagree, with a high percentage (30%) neither agreed nor disagreed.

An analysis of the responses from those who said they were users of Hollingbury Library produced a different response: 38% tended to agree or strongly agree; 49% tended to disagree or strongly disagree; and 13% neither agreeing nor disagreeing.

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As a result of detailed consultation with the Ward Councillors, the original proposals were amended to include the creation of an additional Community Library collection in the Old Boat Community Centre in Hollingbury to meet the library needs of all age groups, and the provision of staffing support to Hollingbury library locations for one day a week each.

As a result of these changes, we believe the main objections raised by local people will be met, as all age groups will be catered for and staff support has been re-introduced.

The current Hollingbury Library building is an old public house building in need of significant repairs estimated at £148,000 and it is one of only two stand alone, isolated community library buildings in the public library network.

The library currently costs £44,500 p.a. to run from this location.

Which corporate principles and priorities (as outlined in the Corporate Plan) will it help deliver?

Citizen focused – working with local residents to deliver programmes and activities relevant to the audience. The new locations will enable us to continue to provide a service that is used by residents to access a wide range of council and public services, general information and the internet. There will be increased opportunities for community involvement in projects and activities.

Increasing equality – ensuring that there continues to be free provision of literature and ICT support to those who need it and providing specialist activities and groups for minority or disadvantaged groups.

Active citizenship - creating more varied opportunities for volunteering and community collaboration within a joined up service.

Economy, jobs & homes – promoting literacy and learning, to improve employment opportunities and ensure digital competency.

Children and young people – working with the Children's Centre, providing a joined up approach to curriculum programming, encouraging of learning and reading, improving literacy.

Community safety and resilience – encouraging community activity and active citizenship that will foster safe neighbourhoods.

Environmental sustainability – the improvements to the community centre with the move of the library into this building will improve the environmental sustainability of this community building.

What other programmes, projects or services does it link to?

This project is part of the Libraries Modernisation Programme which needs to save £1.34 million over the next four years.

The Community Collaboration Programme will suggest improved ways of working with partners, citizens and businesses to ensure community participation in the development and delivery of City objectives. The stronger links to the local community centre and the local Children's Centre and school should be able to utilise this model to ensure that local requirements are met and volunteering opportunities respond to community need.

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4. Preferred Option

Indicate which is the preferred option of those described

Three options have been considered at this point to manage the inflated costs of managing Hove library. These are:

OPTION 1.

1. Description of the option

Do nothing. The impact of this option is that savings will not be met, and the high maintenance costs of this 1940's old pub building will continue. Revenue costs would continue at £44,500 p.a. and £147,988 maintenance costs estimated over five years would remain.

OPTION 2.

1. Description of the option

Keep Hollingbury Library in its current location and operate it using Libraries Extra arrangements. Less than half the savings needed would be delivered and the buildings maintenance costs will remain. The opportunities to work more closely with the Children's centre, the school and the Community Centre will be lost.

OPTION 3: the preferred option

1. Description of the option

Describe the option that is being explored. Including any evidence base, this should include benchmarking data and needs analysis undertaken.

Move Hollingbury Library service to two new locations:

- Hollingbury and Patcham Children's Centre to operate a library service targeted at young children and families for three days a week, on a self-serve basis using volunteer help.
- Old Boat Community Centre in Hollingbury operating a seven days a week service to library users of all ages, on a self-serve basis using volunteer help and working in partnership with the community centre to provide services to meet the needs of local people.
- There will also be staff input on one day a week covering both locations

This option will provide longer access to local people over seven days of the week and will enable greater community collaboration and engagement, whilst also delivering £26,500 of revenue savings, and avoiding the future maintenance and repairs costs (est £147,988)

2. Is this the preferred option?

Yes or no and a brief explanation why.

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Yes Option 3 is the preferred option. The Library Service has to find its share of savings and Hollingbury is one of only two stand-alone libraries in the city. Research has shown that it is more effective both in terms of performance and efficiency to co-locate libraries with other services. The Review and Needs Analysis identified Hollingbury Library as one that had one of the smallest catchment populations and one of the highest % of library users who already used another library. It was also had a relatively high estimated maintenance and repair costs. The library is not located in the best of positions, at the top of a steep road, which can deter people. Moving the library provision into shared premises, will enable better community involvement in the library and hopefully a higher level of use, at lower cost.

3. Cashable benefits

What are the anticipated financial savings from the programme or project? Profile the savings over the lifetime of the programme or project.

	Year 1 2016/17	Year 2 2017/18	Year 3 2018/19	Total
<i>Buildings</i>	£2,450	£2,450	0	£4,900
<i>Employees</i>	£9,500	£9,500	0	£19,000
<i>Supplies & Services</i>	£1,550	£1,550	0	£3,100
<i>Income</i>	-£250	-£250	0	-£500
Total	£13,250	£13,250		£26,500

4. Non-cashable benefits

Every non-cashable benefit (or improvement) should be expressed in measurable terms, and the current situation understood and baselined before the programme or project is implemented. Include benefits from the perspective of the customer

Current situation	Benefit expected	Measured outcome that you hope to achieve	How will the benefit be measured?
Stand-alone building	Improved visitor experience through colocation	Increased attendance and repeat visits	Visitor numbers Visitor feedback
Activities and events are separate	Increased partnership working will result in joint activities and events	Increased attendance at activities	Attendance numbers School visits Visitor feedback
Services are generic	Increased opportunity for targeted services to meet needs of local service users	Improved outcomes for library users	Visitor satisfaction and feedback Community engagement in projects
Relatively low level of library use	Able to reach non-traditional library users	Increased membership	Membership numbers

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£148k of maintenance needed for Hollingbury Library(funding is not within existing budget)	Cost is not incurred	Other services do not need to find additional savings	Cost is avoided
Old Boat Community Centre is not known about by whole community	Library presence will help bring more people to the centre and better signage	New users of the Centre	Surveys

5. Costs (capital and revenue)

What are the capital and revenue costs of the programme or project? Profile these costs over the lifetime of the programme or project.

	Year 1 2016/17 Children's centre	Year 1 2016/17 Old Boat Community centre		Total
Capital costs				
<i>Building costs</i>	£27,000	£20,000		£47,000
<i>Moving costs</i>	£500	£500		£1,000
<i>IT costs</i>	£5,000	£5,000		£10,000
Revenue costs				
Totals (per year) & grand total	£31,000	£24,000		£58,000

When will payback occur? What is the Return on Capital Employed?

When library building is sold and capital receipt received

6. Funding

Have the budgets to fund the programme or project been identified? Specify which budgets.

Capital receipt from sale of library building will fund the new library provision in the Children's Centre and the Old Boat Community Centre.

Will the programme or project be in receipt of any funding? Profile the funding over the lifetime of the programme or project.

	Year 1 2016/17	Year 2 2017/18	Year 3 2018/19	Total
<i>Funding</i>	£58,000			£58,000

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Please identify the funding source(s)

Sale of Hollingbury Library – estimated at £350,000
 Hollingbury Library can be put onto the market following approval from Policy and Resources Committee and once the library service has moved to its new locations.

7. Resources

What staffing resources are required to deliver the programme or project?

Service	Why are they required?	Quantify the requirement (fte)	When are they required?	Has the service been consulted and what did they say?	Are the staff available?
Operational staff	Form project team Manage stock Pack items		Ongoing		Yes
Library manager	Manage the project		Ongoing	Yes	Yes
Communications	Management of project opposition Promotion of new service		Ongoing		
Finance	Monitor project finances	½ day a month	Ongoing	Yes	Yes
Human Resources & Organisational Development	Advice regarding new staffing roles and JDs	Minimal			
ICT	Fitting of new cables				
Internal Audit	None				
Legal & Democratic Services	Contracts Planning				
Policy, Communities & Equalities	Community engagement				
Procurement	Contractors				
Property & Design	Architects Management	1fte for ½ day per	Ongoing	Yes-Property & Design undertook the	Yes

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	of works and contractors Property sales	week		feasibility costings	
Sustainability					
Are any specialist skills required to deliver the programme or project (beyond those identified above)? If so, how will these be acquired?					

8. Risks and opportunities

Assess the risks and opportunities associated with the programme or project by using the council's Risk Management Framework and risk register template. List the most significant risks in the table below and the initial mitigating actions.

Risk description	Potential consequences	Mitigating controls and actions	Likelihood (1 = almost impossible, 5 = almost certain)	Impact (1 = insignificant, 5 = catastrophic/fantastic)
Public do not use the self-service provision	Visitor numbers fall Customer satisfaction is low	Provision of one day a week of staff. Recruitment of local volunteers. Developing good relationship with local partners	3	3
Customer expectations are not met	Visitor numbers fall Customer satisfaction is low Service is no longer viable	Public meetings and online consultation has taken place Service will be developed using further stakeholder engagement	3	3

9. Outline programme or project plan

Indicate the timeline for the programme or project with key milestones, including when decisions are needed and by whom, and deliverables.

Libraries Plan – approved by Council March 2016
 Agreement to dispose of buildings – at P&R committee in June
 New staffing arrangements will be implemented from July 2016.
 Work on the Children's centre will take place in the summer holidays 2016
 Work on the Community Centre is still to be programmed

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Estimated move to new locations: Autumn 2016

10. Stakeholder consultation

List any consultations with stakeholders and the findings. Examples of stakeholders include citizens, staff, partner organisations, Members.

The Library Services Review and Needs Analysis was based on extensive research, consultation and community engagement.

Staff and unions have been involved in the Libraries Modernisation programme through briefings and workshops throughout 2015.

Three months of public consultation took place November 2015 – February 2016.

Additional consultation took place in Hollingbury: all current library borrowers were individually contacted to alert them to the consultation and invite them to a public meeting that was held in February 2016.

In the analysis of all the responses, the specific question about Hollingbury Library resulted in 48% tending to agree or strongly agree and 22% tending to disagree or strongly disagree, with a high percentage (30%) neither agreed nor disagreed.

An analysis of the responses from those who said they were users of Hollingbury Library (115 respondents) produced a different response: 38% tended to agree or strongly agree; 49% tended to disagree or strongly disagree; and 13% neither agreeing nor disagreeing.

As a result of the concerns raised through the consultation, changes were made to the proposals to re-introduce some staff support. As a result of detailed consultation with the Ward Councillors, creation of an additional Community Library collection in the Old Boat Community Centre in Hollingbury to meet the library needs of all age groups.

11. Equalities

Has an Equalities Impact Assessment been conducted for the programme or project? Is one required? When will it be undertaken?

An Equalities Impact Assessment has been undertaken using the Budget Setting Template, as part of the Libraries Plan, which was agreed in March 2016.

Potential impacts were identified as a result of the original proposal to only provide a service in the Children's centre. These impacts were mitigated against by the inclusion of a second collection in Hollingbury to meet the library needs of all ages.

Further equalities impact assessment work with the Equalities team will continue to inform the proposals as they develop.

12. Sustainability

*What significant environmental impacts is the project likely to have?
Are there any implications for the local economy and local communities?*

New windows in the Old Boat Community Centre will improve energy efficiency

Authority to proceed

This business case needs to be approved via the appropriate governance route before the programme or project can be implemented. Please complete the table

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below to confirm where this authority was obtained. Please ensure the agreement was minuted

Meeting where authority to proceed was obtained	Date of meeting

Appendix 1: Details of Hollingbury Revenue costs

Hollingbury Library revenue costs

Buildings (libs)	Buildings (property)	Employees (libs)	Supplies & Services	Income	Totals	
£1,353	£12,546	£23,089	£9,138	-£1,456	£44,670	actuals 2014-15

	Buildings	Staffing	Supplies & Services	Income	Totals	
Current costs	£13,900	£23,000	£9,100	-£1,500	£44,500	based on actuals for 2014-15 estimates to be confirmed
Future costs	£9,000	£4,000	£6,000	-£1,000	£18,000	
Savings	£4,900	£19,000	£3,100	-£500	£26,500	

Saving over the years:	Buildings	Staffing	Supplies & Services	Income	Totals	
2016/17	£2,450	£9,500	£1,550	-£250	£13,250	half year remaining half year
2017/18	£2,450	£9,500	£1,550	-£250	£13,250	
2018/19	£0	£0	£0	£0	£0	

Subject:	Redeployment & Pay Protection Policies		
Date of Meeting:	9 June 2016		
Report of:	Executive Director for Finance & Resources		
Contact Officer:	Name:	Katie Ogden	Tel: 01273 291299
	Email:	Katie.ogden@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that negotiations were ongoing and have only just successfully concluded with the recognised trade unions.

1. PURPOSE OF REPORT & POLICY CONTEXT:

- 1.1 Last year the Executive Leadership Team considered a report looking at all aspects of the council's employment costs in the context of the council's four year financial plan. ELT concluded that the council needs to develop a strategy to transform its current pay and benefits package. The pay and grading structure should be better aligned to our organisation structure, able to address the challenges of the living wage and consequent loss of our lowest grades over the next four years, along with limited pay increases. At the same time the council must ensure that its pay and benefits offer is sufficiently attractive so as to secure and retain individuals with the skills required for the future.
- 1.2 The pay modernisation project implemented in 2013, which looked only at allowances, was in reality an exercise of necessity to significantly reduce the council's equal pay liabilities. An ambitious approach will require detailed research and planning as well as negotiation and consultation with the trade unions. It is anticipated that this will take until 2018-19 to implement.
- 1.3 However there is an area that is recommended for earlier implementation in order to assist the organisation reduce expenditure in the first year of the four year financial plan. Individuals will be placed at risk of redundancy and every effort will be made to redeploy individuals but the costs for protection payments rest with the original budget holder and thus impact on forecast savings. It was therefore timely to review our redeployment and protection policies.

2. RECOMMENDATIONS:

Policy and Resources Committee

- 2.1 note the work being commissioned to develop a pay and reward strategy.
- 2.2 agree the attached redeployment policy
- 2.3 agree the attached protection policy

Redeployment: Proposed changes – Policy at Appendix 1

- 2.4 The scope of the redeployment policy is widened to formally set out our legal obligations regarding employees at risk of redundancy who are on maternity, paternity or adoption leave.
- 2.5 The scope of the redeployment policy is changed to make explicit that employees at risk of dismissal from their current employments due to ill-health and lack of capability were covered by the redeployment policy.
- 2.6 The responsibility of the employee to look for suitable alternative roles, as well as HR, has been emphasised.

Pay Protection: Proposed Changes – Policy at Appendix 2

- 2.7 Pay protection is reduced from three years to two years where the first year's protection is 100% of the previous salary and the second year's protection is 75% of the previous salary.
- 2.8 The policy states that 'normal' contractual pay is used to calculate the salary protection payment.

3. CONTEXT/BACKGROUND INFORMATION:

Background

- 3.1 The redeployment and pay protection policies were identified for review as part of the People Plan, to help ensure that HR can support the organisation in the current financial climate.
- 3.2 The review of the redeployment policy is to ensure there is clarity regarding the scope of the policy and that it reflects our legal responsibilities to employees at risk of loss of employment. The intention of the review of the policy on protection is to reduce the costs of redeployment by a reduction in our protection policy and to bring our policy in line with that of other organisations.

Redeployment: Background

- 3.3 In practice, and in accordance with employment legislation, the council seeks to identify alternative employment for employees at risk of dismissal from their current employment due to ill-health and lack of capability however this is not formally covered in the scope of the current policy.

Members hearing an appeal against dismissal identified this omission and asked for it to be rectified.

- 3.4 Following another recent appeal hearing, Members recommended that the role of the employee to look for suitable alternative jobs should be clearly stated in the policy, and the wording has been amended to reflect this.
- 3.5 A further amendment is to make explicit the rights of employees on maternity, adoption or shared parental leave, i.e. that if a vacancy that is suitable for the employee(s) exists, they must be offered it even if this means that they are treated more favourably than another employee who is also 'at risk'. This is the case even if the other employee is better qualified than they are.
- 3.6 The review of the policy also identified opportunities to improve the process and data collection. This is currently being addressed and will involve key stakeholders.

Pay Protection: Background

- 3.7 The council's pay protection policy applies to NJC and JNC staff. Protection is offered to provide some transitional support to individuals redeployed as a result of redundancy to a lower graded role. The benefit to the organisation is that offers of redeployment are more likely to be deemed 'reasonable' and avoid the need for a redundancy payment.
- 3.8 The council's current policy provides for three years protection and whilst this was once the norm in local government this is no longer the case: equal pay legislation and costs have resulted in councils limiting protection arrangements, usually to one year.
- 3.9 Protection pay is funded by the original department. Thus where posts are deleted to create savings it is often the case that the department is funding protection payments for up to three years and not achieving the anticipated savings.
- 3.10 The policy has also clarified, in response to a collective dispute outcome from Members, that it is the individual's normal contractual pay that is used in the calculation of the salary protection payment.
- 3.11 As of March 2016 there were 59 non-schools employees in receipt of pay protection. They will not be affected by the proposed changes which will only apply to individuals who accept an offer of redeployment after 1 July 2016.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Redeployment:

- 4.1 Organisations have a legal duty to consider redeployment for individuals at risk of dismissal. The revised policy sets out the main groups for whom the council would automatically seek redeployment opportunities as an

alternative to dismissal but recognises that there may be other individual cases where HR would advise that alternative employment is sought when considering dismissal of an individual.

Pay Protection:

- 4.2 Other options were considered, including reduction to one year, eighteen months, as well as reducing the level from 100% during the period of protection.
- 4.3 Research shows that many local authorities have already reduced or are considering reducing their protection arrangements. The proposed policy is clear, concise and consistent and in line with of other councils' policies on protection.

5. COMMUNITY ENGAGEMENT AND CONSULTATION

- 5.1 Trade Unions and the Workforce Equality Group have been informed of the proposed changes to the protection and redeployment policies. Formal consultation with the trade unions has taken place. The unions do not have any concern about the changes to the redeployment policy but did raise concerns about the management of the redeployment process. They cited concerns about vacant posts being deleted without consultation or communication, or vacant posts being held in services when they could be used for redeployment. It was explained that the council's new establishment process will support a more strategic approach to identification of vacant posts and thus redeployment opportunities for individuals at risk. More detailed workforce planning will also ensure early identification of staff groups at risk, assessment of their current skills and how these could be utilised or developed to secure employment in other roles the council needs to fill. They also felt that sometimes offers of voluntary severance are limited to the immediate staff group affected by proposals when they could be extended to a wider group of staff with similar skills.
- 5.2 Following initial discussions about the proposed revised policies a letter was sent to both GMB and Unison on 4 February commencing formal consultation and setting out the key proposed changes to the existing policies. The original proposal was to reduce protection from 3 years to 1 year, to provide protection only if an individual is redeployed within one grade and to protect the difference in grade only. The unions were strongly opposed to the original proposals. They believe a generous protection policy facilitates the avoidance of compulsory redundancies and reduces expenditure on voluntary severance. As a result of the consultation the proposals have been amended.

6. FINANCIAL & OTHER IMPLICATIONS:

- 6.1 Currently there are 59 staff on protected pay, at a cost of £0.177m per annum. If these individuals were used to forecast future savings then the proposed policy would save £0.221m over a three year period. However, future numbers of staff qualifying for protected payments are difficult to predict and so future savings levels would be uncertain at this time.

Finance Officer Consulted: Peter Francis Date: 7 June 2016

- 6.2 The Council's employment contract with employees is clear that, unless expressly stated otherwise, policies shall not have contractual status. The Council should seek to carry out equality impact assessments on the proposed changes to the policies and consult fully on the proposed changes.

Lawyer Consulted: Elizabeth Culbert Date: 18 May 2016

Equalities Implications:

- 6.3 A Statement of Evidence of Due Regard was completed for the redeployment policy. The review of the existing policy found that it was necessary to make a couple of changes to bring the written policy in line with our current practice. Where an individual's employment is at risk due to health reasons or a lack of capability they are now formally within scope of the policy. Historically, this information had been set out in the other relevant procedures, namely the Attendance Management and Capability Procedures respectively. The policy also now states that employees under notice of redundancy who are either pregnant or on maternity, adoption etc. leave should be afforded priority over other redeployees when being considered for suitable, alternative job opportunities.
- 6.4 The data captured for redeployment is under review to ensure that there is sufficient information to complete a full equality impact assessment.
- 6.5 Equality Impact Assessments are also carried out on any proposals that could impact on staffing structures to establish whether the proposals are likely to have an adverse impact on employees with protected characteristics and then managers should consider, whether by modifying the proposals, it is possible to mitigate or eliminate the adverse impact.
- 6.6 An analysis of those in receipt of protected payments in March 2016 shows that the majority were men and this being so then the shorter the period of protection the better able the council is to justify the protection as a proportionate means of achieving a legitimate aim when it comes to equal pay considerations.

Sustainability Implications:

- 6.7 There are no direct sustainability implications arising from this report.

Any other significant Implications:

- 6.8 There are no other significant implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1: Proposed Redeployment Policy
Appendix 2: Proposed Pay Protection Policy

Background Documents:

None.

Redeployment Policy

1 Introduction

- 1.1 The Council's redeployment policy sets out the arrangements that are in place for the Council to maximise the opportunity to secure the employment of existing staff when the needs of the organisation change or in circumstances where individuals can no longer undertake the role they were employed to do.
- 1.2 This policy and procedure aims to provide a fair, transparent and effective process for dealing with such situations, ensuring compliance with statutory requirements. It recognises that during the course of employment, some employees will be affected by changing circumstances such that they are unable to continue in the job they were originally employed to do.
- 1.3 Where these circumstances are beyond the employee's control the Council is committed to:
- maximising the opportunities to achieve the redeployment of employees in alternative job roles when their continued employment is at risk;
 - minimising the distress and adverse impact of any such change on the individuals affected;
 - retaining within the Council, wherever possible, the valuable expertise of employees;
 - minimising the cost of displaced employees to the Council as a consequence of possible payment of e.g. redundancy costs; and
 - Re-skilling displaced employees to maximise their chances of being offered another role

2 Scope

- 2.1 This Policy applies to:
- 2.2 Those Council employees whose continued employment is at risk due to redundancy or ending of a temporary/fixed-term contract (for employees with more than 2 years continuous service).
- 2.3 Employees who have acquired redeployment status through the Attendance Management or Performance Capability processes.
- 2.4 In order to maximise the opportunity to find alternative employment, opportunities will be sought from across the Council. However, this policy (or any amended version of this policy) may only be applied to school based vacancies with the agreement of schools' governing bodies.

3 Redeployment Status

- 3.1 Employees acquire redeployment status when their employment is at risk for the following reasons:

- Redundancy – as soon as they have been notified that their continued employment is at risk, in accordance with the Managing Change Framework;
- Temporary contracts - For employees with 2 or more years continuous service on a temporary contract, they will acquire redeployment status at the start of their notice period;
- Fixed Term Contracts - For employees with 2 or more years continuous service whose fixed term contract is due to end, they will acquire redeployment status as soon as they are advised by their manager that their contract will not be renewed past its natural expiry date;
- Fixed Term Contracts - For employees with 2 or more years continuous service, they will acquire redeployment status as soon as they have been issued notice to bring their fixed term contract to an end before the natural expiry date;
- Ill-health - in accordance with the Attendance Management Policy;
- Capability - in accordance with the Capability Policy.

3.2 The Council will look for suitable alternative employment for individuals until such time as they have been successfully redeployed or until the effective termination date, whichever is the sooner.

4 Seeking Alternative Employment

4.1 The Council will seek, wherever possible, to find permanent, alternative employment for employees commensurate with their experience, skills and abilities and, where practicable and appropriate, at a status and level of remuneration comparable with their former position.

5 Responsibilities of Employees with Redeployment Status

5.1 Employees are required to co-operate fully with the Council whilst efforts are made to find alternative employment opportunities.

5.2 Redeployees will be given access to the jobs prior to them being advertised internally / externally. They should advise the redeployment co-ordinator when there are jobs that they think potentially match their skill set.

5.3 Where a potential job has been identified, the same steps set out below in paragraphs 8.3 to 8.7 will apply.

6 Responsibilities of Managers

6.1 The Council expects managers to treat employees fairly and consistently and to accept a redeployee into a vacancy if the individual meets the essential criteria for the post or would do so with reasonable training.

6.2 If a recruiting manager does not consider a redeployee a suitable match, s/he will need to provide detailed written reasons to the employee and Human Resources within two working days of the matching meeting (or competitive interview decision).

- 6.3 Once a trial period has been agreed, it is the recruiting manager's responsibility to manage the trial period, including ensuring that any training and adjustments that were agreed are put in place.

7 Support for Employees

- 7.1 Employees will receive appropriate advice, guidance and general support throughout the redeployment process from their manager and Human Resources. The nature and level of assistance will be that which the Council considers appropriate and reasonable given the circumstances of the case.

8 Identification of Potential Job Matches

- 8.1 All vacancies will be screened by Human Resources for possible job matches against the profiles of those employees listed on the Redeployment Register. A potential job match is where the employee's experience, knowledge and skills appear very similar to the essential criteria for the post and where any shortfall could be made up within a reasonable period with appropriate training.
- 8.2 Employees on maternity leave and parents on paternity, adoption or shared parental leave have legal protection of their right to return to work. Therefore, an employee(s) on maternity, paternity, adoption or shared parental leave who are under notice of redundancy, must be offered any suitable alternative vacancy in preference to other employee(s). This means that if a vacancy that is suitable for the employee(s) exists, they must be offered it even if this means that they are treated more favourably than another employee who is in the redeployment pool. This is the case even if the other employee is better qualified than they are.
- 8.3 Where a potential job match has been identified by either the employee or HR, information may be requested from the employee to illustrate how their skills and experience meet the particular requirements of the vacancy. Human Resources will then determine whether to proceed to a meeting between the recruiting manager and redeployee to assess their suitability for the role.
- 8.4 Following the meeting between the employee and the manager, if for any reason, the manager or employee decides not go ahead with the trial period, they will need to provide written reasons to Human Resources within two days of the meeting.
- 8.5 Where more than one employee from the Redeployment Register has been matched to a particular vacancy then the manager will be asked to shortlist and then conduct competitive interviews to determine who should be offered the trial period.
- 8.6 In the event that an employee enters the redeployment pool who is a potential match to a job that has already been advertised (but has not reached the stage where a conditional offer has been made), then the recruitment to that post will be placed on hold whilst the matching / trial process takes place.

9. Trial Period

- 9.1 The length of the trial period will be four weeks, however this can be extended to take account of reasonable training/re-training needs, following agreement with Human Resources and the substantive manager.
- 9.2 During the trial period, the employee will continue to be paid at the current pay grade of his / her substantive post.
- 9.3 An employee can commence a trial period within four weeks of their termination date, provided the match was agreed prior to employment ending. In this circumstance, employment will be extended to the end of the trial period. If the trial is not successful, then dismissal will take effect.
- 9.4 If a trial period does not conclude before the termination date, then the individual's employment will be extended to the end of the trial period. If the trial is not successful, then dismissal will take effect.
- 9.5 If the recruiting manager concludes, either during or at the end of the trial period, that the job is unsuitable, a further job match will be sought provided the employee's effective termination date has not passed. The recruiting manager will meet the employee to explain the reasons the trial period was unsuccessful and, specifically, how the employee fell short of the minimum requirements of the post. The recruiting manager will then confirm the reasons for the decision in writing to the employee and Human Resources.
- 9.6 Upon the successful completion of a trial period, the employee will be offered a new contract of employment for that post and the appointment support procedure will be implemented.
- 9.7 If an employee refuses the offer of a trial period or decides during or at the end of the trial that the job is unsuitable, without good reason, he/she must be made aware of the possible consequences of his/her actions. See Section 10.
- 9.8 Once an individual has been offered a trial period he/she is removed from the redeployment pool. If during a trial period an employee wishes to apply for another position, they are no longer eligible to apply for posts as a redeployee, but can apply in accordance with the Council's normal recruitment and selection process.
- 9.9 Where a redeployment trial is due to take place into a post that requires a Disclosure and Barring Service Check (DBS) and where the redeployee does not have a DBS, or requires a new DBS (see paragraph 10.4) the trial period can only commence where agreement from the Director of Adult Services / Director of Children's Services (DAS/DCS) has been given, or once the DBS is received and checked in line with the usual process.
- 9.10 A new DBS disclosure will be required for those who:
- Are redeployed from a post not requiring a check to one that does;
 - Are redeployed to a post that requires a higher level of disclosure;
 - Have not had a DBS in the last 4 years and the post requires one; or
 - Have never had a DBS and the post requires one

9.11 Prior to the trial period Human Resources will liaise with the redeployee and the recruiting manager to ensure all necessary checks, including Disclosure & Barring Service checks, are held to the necessary level, and to arrange the completion of checks.

10 Entitlement to a Redundancy Payment for those staff at Risk due to Redundancy

10.1 If an employee at risk of redundancy is successfully redeployed, he/she will not be entitled to a redundancy payment.

10.2 An employee will also lose his/her potential entitlement to a redundancy payment and the opportunity to be considered for further redeployment opportunities if he/she:

- refuses without good reason an offer of suitable alternative employment;
- declines without good reason the offer of a trial period or interview for a post which is considered to be suitable by the Council;
- is dismissed for misconduct during the training/trial period;
- resigns during the training/trial period without good reason; or
- Accepts another position either within the Council, or with an employer covered by the Modification order and takes it up within 4 weeks of the old employment ending.

11 Redeployment Opportunities after Employment Ends

11.1 When an employee is dismissed by reason of redundancy, he/she will retain the right to have a meeting / be interviewed for an alternative job for which he/she has applied or has been matched against prior to leaving providing that the offer of alternative employment is made within four weeks of the date of leaving i.e. the termination date.

11.2 In these circumstances the Council would withhold any redundancy payment to which the employee may be entitled until the outcome of the interview / meeting or trial period is known.

12 Appeals against not being job matched to a Vacancy

12.1 If an employee believes that he/she has been overlooked/unreasonably refused for a job match he/she should appeal in writing, on the attached form, to the Head of Human Resources & Organisational Development, within seven calendar days of this decision. A written response to the appeal will be issued **within seven calendar days** of the receipt of the appeal form.

Formal Offer of Re-deployment

The offer of re-deployment must be made in writing and within four weeks of the employee's effective termination date. The offer must specify the following: -

- the type of work to be undertaken
- the nature and length of any re-training programme agreed
- the nature of any reasonable adjustments that are to be made
- the location of the new job
- the rate of pay and other terms and conditions
- the normal number of hours per week
- the entitlement to a trial period of four weeks (or a right to a **statutory** trial period in cases of redundancy)
- the situation regarding the employee's entitlement to a redundancy payment, if any
- details of any salary protection should the appointment be confirmed
- the fact that confirmation of the appointment is subject to satisfactory completion of the trial period by the employee.

Protection Policy

1 Introduction

- 1.1 The protection arrangements set out below are offered by the council having regard to the need to ensure the viability and sustainability of services in a climate of increasing financial constraint.

2 Scope of Policy

- 2.1 This policy applies to all staff (with the exception of teachers) whose pay is reduced as a result of being redeployed from a redundant post, to a post which is **within two salary grades** of his/her former substantive post.

3 Protection of Salary

- 3.1 If the new post attracts a lower level of normal contractual pay, the redeployee will be assimilated at the top of the grade of the new post and will be entitled to receive protection in respect of normal contractual pay.

4 Calculation of the Salary Protection Payment

- 4.1 The annual protection payment will be the difference between the employee's normal contractual pay in the former post and the normal contractual pay of the new post.
- 4.2 Other payments such as acting up payments, additional salary when on secondment, and non-contractual overtime will not be included in the calculation of the salary protection payment.
- 4.2 In cases where the hours of the new post differ from those of the employee's former post, the hourly rate before and after the change will be used to calculate the protection payment.
- 4.3 The protection payment will be re-calculated to take account of any increase in the employee's normal contractual pay in the new post during the period of protection e.g. as a result of any annual pay awards etc. This means that the protection payment will reduce in line with any such increase in the employee's level of remuneration during the period of protection.

5 Period of Salary Protection

- 5.1. The employee will be entitled to receive a salary protection payment for a maximum period of 2 years from the date of re-deployment. The employee will receive 100% protection of their normal contractual pay for the first year and 75% protection of their normal contractual pay for the second. However, the protection payment will cease within the two year period in the event of

the employee's normal contractual pay reaching or exceeding the level immediately prior to the re-deployment taking effect.

6 Protection of Other Terms and Conditions

- 6.1 The employee will be subject to the terms and conditions applicable to the post into which he/she is re-deployed. However, where an employee enjoyed protection of specific terms and conditions of service in his/her substantive post, such protections will continue and will be subject to the terms on which they were originally agreed under the former contract.

7 Subsequent Transfer to another Post

- 7.1 In the event of a re-deployed employee accepting another post with a higher level of normal contractual pay during the protection period, any protection payment still being received at that time would be reduced to reflect the higher pay in the new post.
- 7.2 Protection of any other terms and conditions would cease automatically with effect from the date of transfer to the new post.

8 Funding the Cost of Protection

- 8.1 The cost of the protection payment will be borne by the original service.

Subject:	Adoption of Grievance & Disputes Procedures
Date of Meeting:	9 June 2016
Report of:	Executive Director, Finance & Resources
Contact Officer: Name:	Parul Chatterjee
Email:	Parul.chatterjee@brighton-hove.gov.uk
Ward(s) affected:	None

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that negotiations were ongoing and have only just successfully concluded with the recognised trade unions.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 It is good practice to review key employment procedures to ensure they remain appropriate to the organisation and its staff. A review of the councils Grievance and Dispute Procedures was established after concerns from Members about their involvement in workplace conflict resolution and the fact the Council had not reviewed its procedures since 1999.
- 1.2 The council's Grievance & Dispute procedure is currently formally agreed between Unison and GMB, as the councils' recognised trades unions. The status of the procedure is that it is a contractual document, as an employer must have a process to enable its workforce to raise matters of concern.
- 1.3 After an initial period of review during 2014 a number of proposals for change to the existing procedure were debated. Whilst there was no immediate agreement on the changes proposed, it was agreed that a joint working group be set up to explore changes to the process and procedure. In particular, it was agreed to look at the speed with which grievances could be dealt with and the appropriateness of Members involvement.
- 1.4 However, despite some engaged discussions, it was not possible to reach a mutual agreement to revise the existing procedures at the conclusion of the review at the end of September 2014.
- 1.5 In January 2015 formal notice was served to end the current collectively agreed Grievance and Dispute Procedure. During this period of notice the Council met with its recognised unions on five occasions to jointly agree a new Grievance and Disputes Procedure.

- 1.6 It was not possible to reach a joint agreement on a new procedure and GMB and Unison raised a collective dispute on the introduction of the new procedure. This dispute was heard by a Personnel Appeal Sub Committee on 8 February 2016.
- 1.7 The outcome of the appeal was for the Chief Executive and the unions to meet to see if a resolution and agreement to the procedure was possible. Meetings were held during May 16 and as a result joint agreement has been reached on the introduction of a new Grievance and separate Dispute Procedure.

2. RECOMMENDATIONS:

- 2.1 That the Committee agrees to adopt a new Grievance Procedure and a separate Disputes Procedure (attached at Appendix 1 and 2), which have been jointly agreed with GMB and Unison.
- 2.2 That the Committee notes that further training for managers will be provided to help equip them to implement the new Procedures appropriately.
- 2.3 That the Committee notes the operation of the new procedures will be reviewed twelve months after their implementation to ensure that timescales and the process for dealing with disputes has improved and is appropriate for the organisation.
- 2.4 That in addition, the Committee notes that there will be a joint review with the unions after 6 months on the effectiveness of the provision to make a reasonable request to change the hearing manager at Stage 2 of the grievance process (Appendix 1 para 8.5)
- 2.5 That the Committee delegates authority to the Chief Executive to take the steps necessary to implement these recommendations.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 During 2014 a formal consultation period commenced with the Trade Unions into the following proposals:-
 - To amend the current grievance procedure so that the Personnel Appeals Sub-Committee hear dismissals and collective grievances/disputes but not individual grievances
 - Individual grievances, at Stage 3, to be heard in the alternative by Senior Officers
 - Refinement of the definition of Work Group in grievances to mean Directorate
 - Refinement of the definition of Collective Dispute to require the issue to impact on more than one Work Group.
- 3.2 The consultation period ended with the agreement to delay giving notice on the current procedure for six months. This was to allow for a joint working party to review and make improvements to the current grievance process. It was agreed

that if sufficient progress and improvements had been agreed on the current procedure the proposals for change may be reconsidered. A Grievance Review Group (GRG) was created February 2014. Members of the GRG were from HR, Legal, GMB and Unison.

- 3.3 Four meetings of the GRG took place between March and September 2014 to consult on and agree to amendments to the Grievance and Disputes procedure and process. Following failure to reach agreement with GMB and Unison on changes to procedure, notice was served on the Council's current Procedure in January 2015.
- 3.4 During the notice period, research was undertaken and a series of consultation meetings held jointly with the unions to seek to agree a new procedure. Five meetings took place with both unions on 29 July, 9 September, 16 September, 9 October and 4 November.
- 3.5 A shared principle in defining a new procedure was to create the circumstances for intervention and resolution where possible at the earliest opportunity. Members were also keen to add value to the process and had a view that currently some issues presented to them could and should have been resolved earlier through appropriate management. The intention is that this should result in a speedier resolution of grievances, with local accountability for manager and staff to resolve things at the immediate level.
- 3.6 The new Grievance Procedure, therefore, has a clear first informal step, where we expect a number of issues to be resolved. The subsequent formal steps provide two further opportunities for the matter to be considered and we believe therefore there is adequate opportunity for matters to be addressed.
- 3.7 During the consultation process and feedback from the GMB and Unison a number of amendments/clarification occurred to try and agree the new procedures. These included: –
 - A recognition that Members should have an involvement in disputes with the Employer.
 - Extension of the consultation period by a further two months to try and agree the new procedures
 - Confirmation the operation of the new procedures would be reviewed six months after their implementation
- 3.8 As a result of the consultation meetings two new procedures were created. A separate Grievance Procedure to deal with grievances within Officer delegations and a separate Disputes Procedure to deal with collective disputes with the employer, involving Members.
- 3.9 Following the confirmation of the end of the consultation period the proposed procedures were sent to both unions, however agreement was not forthcoming and a joint collective dispute was submitted.
- 3.10 This was heard at a Personnel Appeal Sub Committee on 8 February. The outcome of which was for the Chief Executive to meet with the Trade Unions to seek a resolution to the outstanding issues..

3.10 The Chief Executive met with the unions during May 16. As a result of discussions, it is pleasing to note that agreement has been reached on the new procedures and these are subsequently presented for approval.

4. CONSULTATION

4.1 Five meetings took place between July and November 2015, (29 July, 9 September, 16 September, 9 October and 4 November) to agree a new Grievance and Disputes Procedure. The consultation period was also mutually extended by a further two months to December 2015 in the anticipation of a positive outcome.

4.2 In addition detailed discussion took place at each meeting regarding the practical application of both the current and new procedures and ways any issues could be addressed. 4.3 The matter was debated at the Joint Staff Consultation Forum on 12th February and a meetings were held with the Chief Executive during May 16

5. ADDITIONAL INFORMATION

5.1 On 19 June 2015 a focus group was held with managers to gain their feedback on their experience of dealing with grievances and disputes under the current procedure. They were also asked for suggestions on how to improve the process. Key themes identified were as follows:-

- Over reliance on formal processes
- Lack of information regarding actual issue on grievance forms
- Concerns about time taken to resolve such issues
- Request for further training to assist in resolving grievances at the earliest opportunity

5.2 A review of other Local Authorities grievance procedures and processes was also undertaken. This included undertaking a SE Employers survey and contact with the LGA and ACAS. The findings from this research confirmed that many authorities had a formal two stage grievance procedure in line with ACAS good practice. In addition many Local Authorities no longer had Member involvement in grievances. ACAS have also confirmed the move to a two stage Grievance process is in keeping with the trend they have seen across local government.

6. CONCLUSION

6.1 Following consultation the procedures have been jointly agreed between the council and both GMB and Unison.

6.2 The intention is that under the new procedures, there is a greater emphasis on managers, staff and their representatives to resolve grievances at the earliest opportunity and as informally as possible.

- 6.3 The new procedures are part of the Council's strategy to help embed a culture of dealing with people issues in a more efficient, collaborative and effective manner by management, staff and representatives alike.
- 6.4 It is recommended the Committee agree to replace the current jointly agreed Grievance and Dispute Procedure with a new Grievance Procedure and separate Disputes Procedure.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

There are no direct financial implications arising from the proposals in this report, which are not based on cost efficiency but are intended to speed up and deal with grievance issues at an appropriate level and where possible avoiding the need for a formal hearing. The changes proposed will improve efficiency and ensure disputes are dealt with at an appropriate level of Officer accountability.

Finance member consulted: Peter Francis

7.2 Legal Implications:

The proposed new procedures accord with ACAS guidelines, in particular in relation to the number of stages that the grievance process should follow. Three stage grievance process is not expected by ACAS and it is not a requirement that the appeal stage of the process should be heard by elected members. This has been an historic local arrangement, agreed under the old procedures with the unions.

Lawyer consulted: Elizabeth Culbert

7.3 Equalities Implications:

- The Procedures comply with legislation and are considered good practice and in line with ACAS Code of Practice.
- It is proposed to carry out a full EIA on the new procedure one year after implementation –. This is in order to ensure the application of the Procedures have no negative equalities impact.

7.4 Sustainability Implications:

None.

7.5 Crime & Disorder Implications:

None.

SUPPORTING DOCUMENTATION

Appendices:

1. Grievance Procedure
2. Disputes Procedure

Documents in Members' Rooms

1. None

Background Documents

1. None

Grievance Procedure

1 Introduction

- 1.1 The council is committed to providing a working environment where individuals are treated with fairness, dignity and respect and will take all employee complaints seriously. This procedure supports the Council's Core Values of respect, collaboration, efficiency, openness, creativity and customer focus.
- 1.2 However, it recognises that sometimes things can go wrong and employees can have a concern or complaint (a grievance) relating to their employment. It is therefore essential that grievances are dealt with in accordance with the timescales set out in this procedure.
- 1.3 The council's Grievance Procedure complies with best practice as set out in the ACAS (Advisory, Conciliation and Arbitration Service) "Code of Practice on disciplinary and grievance procedures".

2 Scope

- 2.1 This Procedure applies to all employees of the Council with the exception of the Chief Executive, JNC employees and employees who are appointed by the Governing Body to work at a school.
- 2.2 This Procedure **will not apply** to:
 - 2.2.1 Disciplinary, capability and dismissal matters including redundancy dismissals (dealt with under the separate Disciplinary, Capability and Attendance Management Procedures or Dismissal appeal process).
 - 2.2.2 Matters relating to statutory deductions from pay e.g. income tax, national insurance or pension.
 - 2.2.3 Appeals against the grading of posts dealt with by the Re-evaluation of existing posts and Grading Appeal procedure.
 - 2.2.4 Matters over which the Council has no control e.g. compliance with and implementation of health and safety legislation.
 - 2.2.5 Employment-related matters raised by ex-employees after their service with the Council has ended.

3 General

- 3.1 The council and its recognised trade unions are committed to ensuring that the spirit and intentions of the Procedure are honoured at all times. It is recognised that employees' grievances, complaints, and concerns can be raised without the fear of recrimination and subsequently dealt with quickly, constructively, consistently and, above all, impartially.
- 3.2 It is in everyone's interests for workplace concerns to be dealt with as quickly as possible and on an informal basis. Employees, trade unions and managers have a responsibility to seek to resolve concerns informally, before taking a formal grievance.
- 3.3 Employees should discuss any concerns with their line manager informally in the first instance. If the employee's grievance is about their line manager then they should discuss their concerns with a more senior manager – usually the line manager's manager.
- 3.4 The manager should arrange an informal discussion to explore and resolve the concerns raised, as soon as reasonably possible. The employee should provide a detailed explanation of the nature of their concern(s) and what action they feel should be taken to enable a resolution to be found, and agree, where possible, any appropriate action necessary to resolve their concern.
- 3.5 Where ever possible the manager should seek a means of resolving the concern to the employee's satisfaction taking into account council policies, procedures, rules and the need for fairness and consistency.
- 3.6 The council recognises grievance meetings/hearings can be sensitive and may be difficult for all parties concerned. However, all parties involved in these should conduct meetings in a respectful and open way.
- 3.7 It is expected that employees will raise issues of concern in good faith, however grievances which are subsequently found to be vexatious or malicious may result in disciplinary action against the complainant .

4 Mediation

- 4.1 The Council operates a Mediation Scheme. This entails an independent third party known as a mediator to try and help resolve grievance issues thereby avoiding the need to for the formal process to be instigated. However a mediator can be deployed at any stage of the procedure. Mediation works by encouraging the parties to speak to each other in order to reach a mutually acceptable agreement. It gives them a chance to talk honestly about the situation, express their concerns to each other and come up with some practical ideas about how things could change for the better. Mediation is a voluntary process.
- 4.2 Where an informal route and/or mediation has been unsuccessful, a formal grievance may be raised.

5 Support and Right to representation

- 5.1 An employee raising a grievance may, if they wish, be advised and/or represented by a Trade Union representative, an official employed by a Trade Union or accompanied by a colleague who works for the Council at every formal stage of the Procedure.
- 5.2 Trade union representation will be afforded to an employee, where requested, irrespective of whether or not the union to which the employee belongs is recognised by the Council.
- 5.3 Employees may wish to access the staff counselling service offered as part of the Council's Employee Assistance Programme.

6 Time Scales

- 6.1 The prescribed time scales are designed to facilitate the swift handling of any grievance and must be adhered to by both management and the employee(s)/Trade Unions unless they are varied by mutual agreement between the parties concerned.
- 6.2 It is intended that any formal stage of the grievance should be concluded within one calendar month of being raised.

7 Formal Grievance Procedure

7.1 Stage One

- 7.2 If an employee feels that following informal discussion (as described in paragraph 3) the grievance remains unresolved then a formal grievance may be raised. Formal grievances should be raised in writing on the Grievance Notification Form (Appendix A) and must address all of the following:

- a summary of the issues from the employee's perspective;
- evidence supporting their view (if any is available);
- details of the steps they have already taken to address the situation;
- what outcome the employee is seeking

A grievance submission that does not satisfy all of the above points may require further clarification before it can proceed.

Note that language which may be considered insulting or abusive should not be used on the Grievance notification Form unless it is a quotation.

- 7.3 The Head of Service, or other senior manager nominated by him/her for the purpose, should set a date for a meeting with the employee(s), his/her representative/companion and any other interested parties **within fourteen days** of receipt of the Stage One grievance.
- 7.4 After hearing the grievance, the Head of Service or other senior manager nominated by him/her for the purpose, should give his/her decision to the employee(s) and his/her Trade Union representative/companion in writing, **within seven days** of the meeting (or the last of the meetings if more than one was necessary).
- 7.5 Where an employee or their companion/representative is unable to attend the meeting, they may request for the meeting to be rescheduled once within 7 calendar days of the original date. If the employee or their companion/representative is unable to attend a rescheduled meeting within this timescale or a mutually agreed timescale, the manager may decide that it is appropriate for the employee to provide a written submission instead in order or for the case to be heard.

8 Stage Two - Appeal

- 8.1 If the employee is not satisfied that their grievance has been resolved at Stage One of the procedure they have a right of appeal. The formal Stage Two appeal hearing is the final stage of the Grievance Procedure. The employee should advise they wish to do this, in writing.
- 8.2 Appeals must be submitted in writing within 7 calendar days of the written outcome of the original Stage One meeting. This should be submitted to the original hearing manager for forwarding to the Executive Director for that service area who will arrange for the appeal to be heard.
- 8.3 The written appeal must be submitted on a Grievance Appeal Notification form (Appendix B) and include:-
- The original submission and the outcome letter from Stage One;
 - A description of in what way the issues have not been resolved;
 - What the employee considers will resolve the situation;
- 8.4 The Director or other senior manager nominated by him/her for the purpose, should hold a meeting with the employee(s), his/her TU representative/companion and any other relevant parties **within twenty-one calendar days** of receipt of the Grievance Appeal Notification Form.
- 8.5 Following a reasonable request for a change of assigned hearing manager, the Director has the discretion to hear the matter personally or to assign the hearing to someone outside of line management.
- 8.6 Where an employee or their companion/representative is unable to attend the appeal hearing, they may request that the appeal hearing is rescheduled once within 7 calendar days of the original date. If the employee or their

companion/representative is unable to attend a rescheduled meeting within this timescale or a mutually agreed timescale, the manager may decide that it is appropriate for the employee to provide a written submission instead in order or for the case to be heard.

8.7 After hearing the grievance, the Hearing Manager, will give his/her decision to the employee(s) and his/her Trade Union representative/companion in writing, **within seven calendar days** of the hearing (or the last of the hearings if more than one was necessary).

8.8 The table below shows who meetings/hearings are normally chaired by.

Stage	Type	Chair
Stage One Meeting	grievance	Head of Service or nominated representative
Stage Two Appeal Hearing	grievance	Member of Executive Leadership Team or other nominated representative

9 The relationship between grievances and other procedures

9.1 Where an employee raises a grievance during the course of another formal council procedure (such as the Disciplinary, Capability and Attendance Management Procedures), action under that other procedure/policy may be temporarily suspended to enable the grievance to be dealt with. Where the two are related, it may be more appropriate to deal with them concurrently. Each case will be considered on its merits to ensure that the Council is acting reasonably.

9.2 Where a dispute is registered by one or more of the recognised Trade Unions and is not attached to any named employees this will be dealt with under the Council's separate Disputes Procedure.

Appendix A



Grievance Notification Form

STAGE ONE GRIEVANCE

EMPLOYEE'S NAME:

DEPARTMENT:

TEAM:

SUPERVISOR'S NAME:

POST:

Please give a summary of the issues from your perspective relating to your Grievance:

Please provide any evidence that supports your view if any is available;

Please give any details of the steps that you have already taken to address the situation;

What is the outcome that you are seeking?

Please note:

A grievance submission that does not satisfy all of the above points may require further clarification before it can proceed.

Signature:

Date:

Stage One forms must be submitted to your immediate manager.

Appendix B



Grievance Notification Form

STAGE TWO - APPEAL

EMPLOYEE'S NAME:

DEPARTMENT:

TEAM:

SUPERVISOR'S NAME:

POST:

This form must include:

The original submission and the outcome letter from Stage One;

Please provide a description of in what way the issues have not been resolved;

What do you consider will resolve the situation?

Please note:

A grievance submission that does not satisfy all of the above points may require further clarification before it can proceed.

Signature:

Date:

This form must be submitted to the original Stage One hearing manager within seven calendar days of the written outcome of that meeting.

Disputes Procedure

1.0 Introduction

- 1.1 The Council is committed to resolving disputes in partnership with its recognised Trade Unions. This procedure has been written having regard to the obligations placed on the council by legislation, case law, national/local agreements on terms and conditions of service and its own policies and standing orders.
- 1.2 The definition of a dispute for the purpose of this policy is a dispute registered by one or more of the recognised trade unions and the Council which relates to terms and conditions of service or collective bargaining arrangements and is not attached to any named employees.
- 1.3 Matters involving specific issues affecting named employee/s should be addressed by using the Council's Grievance Procedure.

2.0 Scope

- 2.1 This Procedure applies to the terms and conditions or collective bargaining arrangements of all employees of the Council with the exception of the Chief Executive, JNC employees and employees who are appointed by the Governing Body to work at a school.

3.0 General

- 3.1 It is the general responsibility of the Council and its recognised trade unions to establish arrangements to deal with issues which could give rise to collective disputes, with a view to the parties reaching agreement at the earliest possible stage of the procedure, and without resort to any form of industrial action.
- 3.2 This procedure outlines the agreement between the Council and its recognised trade unions on the arrangements for resolving disputes that occur between the parties.
- 3.3 All parties to the agreement agree to observe the terms of this agreement and refrain from any action which would be in contravention of them.
- 3.4 Trade union issues which could give rise to disputes should be the subject of discussion at the appropriate level by the parties concerned, with a view to

securing a mutually acceptable resolution of them within a reasonable period of time. Every effort should be made by the parties to secure a resolution without recourse to outside agencies.

4.0 Framework for consultation

- 4.1 The Council has a defined framework for workforce consultation through the organisation of the Directorate Consultation Groups (DCG) and The Staff Consultation Forum. However, the Council may communicate with the trade unions and its employees and *vice versa* outside the formal consultation mechanisms.
- 4.2 It is recognised that regular dialogue with recognised trade unions ensures an effective working relationship with union officials who can anticipate and address problems before they escalate.
- 4.3 Consultation on proposals for a particular Directorate or service should be raised at the relevant DCG and may be supplemented by meetings with appropriate local managers on service specific issues. DCG's may also be arranged on an exceptional basis by either party if the regular scheduled meeting would mean any matters for discussion were not dealt with promptly.
- 4.4 Issues affecting the whole workforce should be discussed and communicated at the Council's Joint Consultation Forum.
- 4.5 If a matter subject to consultation gives rise to a dispute then a meeting should be arranged in accordance with this procedure, with the aim to resolve the issue.

5.0 Process

Stage One

- 5.1 If a dispute arises, the relevant union/s should confirm in writing the nature of the dispute and send this to the Head of HR & OD who will make arrangements for a meeting to be held. The written notification of the dispute must address all of the following:
- a summary of the issues from the Trade Union's perspective;
 - evidence supporting their view (if any is available);
 - details of the steps they have already taken to address the situation;
 - what outcome the Trade Union is seeking.

A dispute that does not satisfy all of the above points may require further clarification before the meeting can proceed.

5.2 A meeting will be arranged, as soon as is practicably possible, which would normally be within seven calendar days, between the representatives of the union/s raising the dispute and a member of the Corporate Management Team, as appropriate, supported by an HR representative.

5.3 At the meeting the management representative and union/s should :-

- define the actual cause of the dispute;
- explore what options are available to resolve the dispute; and
- agree a timescale and process for fully exploring the issue of dispute with a clear aim to seek a resolution.

5.4 It is anticipated that in many cases this meeting, or any negotiations that follow it, will enable the dispute to be resolved.

Stage Two

5.5 If the dispute remains unresolved following the meeting either party may refer the matter to a Personnel Appeals Panel, for consideration. The dispute should be in writing and must include:-

- The original submission and the outcome from the meeting with the corporate management team;
- A description of in what way the issues have not been resolved;
- What the Trade Union considers will resolve the situation;

Where the dispute relates to a matter that is subject to a formal consultation period, this should be exhausted before the matter may be referred to Personnel appeals Panel. The hearing must be arranged as soon as is reasonably practicable.

5.6 The Personnel Appeals Panel will comprise a minimum of three or a maximum of four Councillors drawn from a pool of Councillors allocated to sit on the Council's Personnel Appeal Panel and an adviser from either Legal Services or Human Resources. The members of the panel will not have had any previous dealings with the dispute.

The parties appearing before the Personnel Appeal Panel will be the Trade Union representatives/Branch Officials and the Executive Director, Head of

Service or other senior manager authorised for this purpose accompanied by a Human Resources Manager.

- 5.7 The decision of the Personnel Appeal Panel will be given in writing, to the parties concerned **within seven days** of the meeting.

6.0 Status quo

- 6.1 It is agreed that until a dispute is concluded with the decision of the Personnel Appeals Panel, the 'status quo' will prevail.

- 6.2 The meaning of 'status quo' as it applies to this procedure is that the Council will not implement alterations to terms and conditions of employment, collectives agreements and/or employment policies until agreement has been reached or the formal Procedure exhausted.

- 6.3 The parties will however, attempt to reach agreement concerning interim arrangements to allow work to progress and to ensure service requirements are met whilst the formal Procedure is being followed.

- 6.4 The Parties agree that whilst unions may ballot their members in accordance with legislative frameworks, no industrial action or lockout shall occur before the formal procedure has been exhausted.

7.0 Other considerations

- 7.1 In the event of a failure to resolve a dispute in accordance with this procedure, it is open to either party to refer the dispute to the Advisory Conciliation and Arbitration Service (ACAS) for conciliation or arbitration. If both parties do agree to refer the dispute to ACAS for conciliation or arbitration then the findings, may by mutual agreement, be binding on both parties.]