

CABINET ADDENDUM THREE

4.30PM, THURSDAY, 23 JANUARY 2025

COUNCIL CHAMBER, HOVE TOWN HALL

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ADDENDUM

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BRIGHTON & HOVE CITY COUNCIL

CABINET

5.00pm 5 DECEMBER 2024

COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ - HTH/CC

MINUTES

Present: Councillor Sankey (Chair) Taylor (Deputy Chair), Alexander, Burden, Daniel, Muten, Pumm, Robins, Rowkins and Williams

Other Members present: Councillor Robinson

PART ONE

105 PROCEDURAL BUSINESS

105a Declarations of interests

105.1 There were none.

105b Exclusion of the press and public

105.2 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

105.3 **Resolved** That the public are excluded from the meeting from items listed on Part 2 of the agenda.

106 MINUTES

106.1 **Resolved-** That the minutes of the previous meeting be approved as the correct record.

107 CHAIR'S COMMUNICATIONS

107.1 The Chair provided the following communications:

I'm really pleased to see all of our cabinet members and advisers wearing their white ribbons today and I'd like to start today's meeting by reflecting on this year's 16 days of activism campaign which seeks to galvanise action for the elimination of violence against women and girls around the world. This year's campaign started on the 25th of

November and it highlights the alarming escalation of violence against women, namely the cases of intimate partner and family member femicides. In the UK 2 million women are estimated to be victims of violence perpetrated by men each year in an epidemic so serious it amounts to a national emergency. Crimes including stalking, harassment, sexual assault, and domestic violence effect 1 in 12 women in England and Wales with the number of recorded offences growing by 37% in the past five years. It is on all of us to do everything we can to address this epidemic of violence against women and girls. For our own part here in Brighton and Hove City Council we have been putting on a number of internal events, and we also have a display in the Jubilee Library which is to show our unreserved support for the White Ribbon pledge and the 16 days of activism against gender-based violence in all its forms. In addition, this display also showcases work by a victim and survivor of their experience and the impact of the abuse that they endured. We also flew the white ribbon flag from town halls last week. As a society we need to do so much more to ensure the safety of women, we need to be vocal in our objection of violence, to challenge misogynistic views, and to actively reject the culture of toxic masculinity that is sadly becoming more prevalent. For anyone who is experiencing domestic or sexual violence, stalking or abuse of any form, please remember you are not alone, help and support is available. As a council, our new strategy for ending violence against women and girls will be considered by this cabinet early in the new year.

Turning to World AIDS day, on Sunday I took my children to the positive community lunch in Kemptown, a lovely event to mark World AIDS Day. In the evening, I was able to join our Cabinet Member for Communities, Equalities, and Human Rights, Councillor Leslie Pumm, and the Mayor at a poignant remembrance event to mark World AIDS Day. Where we read the names of all those who have lost their lives too soon. This annual day is an important opportunity for everyone to come together to remember all those in our city who lost their lives to AIDS related illness. But it's also a day of celebration of significant medical advances which allow people living with HIV to do so without a fear of ever developing AIDS or passing it on. As a city we've made great progress towards our goals with new HIV diagnosis continuing to fall and we really welcome the new government's pledge to end new transmissions by 2030. We must however always ensure that we are supporting those who are still living with HIV and AIDS and we must never forget those who have lost their lives.

This week I'm pleased to say that we've published our decarbonisation pathway study which provides our city's route map to a low carbon energy system. Our Cabinet Member for Net Zero and Environmental Services, Councillor Tim Rowkins, commissioned this study when we came into administration last year when we realised that despite all of their rhetoric on climate change, the previous green administration had no practical plan for how our net zero ambitions were to be delivered. The study identifies 110 high impact projects and we're now working with partners to develop appropriate project pipelines and investment vehicles. Currently, just over 13% of households in our city live in fuel poverty. Our approach to decarbonisation will not only help us achieve net zero but will also help households reduce their energy bills. The study makes clear that the deployment of solar is key and yesterday we announced our largest roll out of solar to date. We're in the process of installing 730 solar panels at various locations around the city. Including 292 on the roof of the Prince Regent Swimming Complex. Delivering clean power and reduced costs for a particularly energy intensive building. We're also gearing up to take advantage of government initiatives

such as Great British Energy, a new publicly owned company which will deliver clean power by co-investing in leading technologies, the Solar Rooftop Revolution Strategy to deliver solar power to homes, and the Warm Homes Plan that offers grants at low interest loans to support investment in insulation, solar, and low carbon heating.

In another positive update, we have recently been able to announce that the Black Rock Reading Room is open where we committed as an administration to ensuring continual regeneration and investment in our city. So, it's great to see that the historic reading room has been restored as part of our wider Black Rock project. The reading room transformation is testament to what can be achieved through the collaboration between the public and private sectors. The result is a fantastic improved public amenity and one with spectacular sea views contributing to a rejuvenated eastern sea front.

Moving on to today's business, I'm delighted to see that the Council Plan Performance Update is on the agenda. In particular I'd like to highlight the very positive news that 23/24 saw the highest number of homes delivered, 1075 across the city in the year since 2013. This is absolutely in tune with our administration's commitment to deliver homes for everyone, to ensure a rapid increase in affordable housing options in our city. The update also shows real improvements in air quality both directly and in terms of the improved way of mapping through our real time air quality portal website. And I'm thrilled to say that we've been named the local authority with the best on street electric vehicle charging coverage in the UK outside of London. My thanks to Councillor Muten and to transport officers for all of their work on this. Moving on to City Parks Service Standards Report, which outlines our interim approach for service standards next year pending a longer-term approach to deliver on our vision for City Parks. I'm pleased that this report includes a proposal for digital transformation to improve our data and improve forward planning. This is part of a wider transformative change in this council where we're aiming to be a data lead organisation. I'm particularly pleased to see the new service standard for reducing and removing growth around trees which is not only important for safety and accessibility, but also for the look and feel of the city. The city's parks and green spaces are a key of our city's identity and we're incredibly proud that 7 of our parks received Green Flag awards this year.

Today we will also consider the Targeted Budget Management Report 7. This includes an update on our in year financial position and the actions we're taking to close what still is a large gap of £6.8 million. While we're taking doing everything we can, I'd like to start by saying that the recent news that the i360 has filed for administration leaves a large unpaid amount to the city council, which will have an impact on our overall budget going forward. I'd like to reiterate my call to the Green Group to apologise to the residents of Brighton and Hove as ultimately it will be all of us that will be paying this off for many years to come as a result of a previous Green administration's irresponsible and risk laden approach to the public finances. Our overall budget picture is very challenging, like many councils the combination of increased costs and demand for key services, such as adult social care and homelessness, outstrips our forecasted income. The approach of this Labour Government marks a significant departure from the years of austerity under the last government, but there are still no overnight fixes to the significant challenges that we face. We welcome the government's autumn statement and the new hot off the press yesterday that the Secretary of State for Education is giving more funding for thousands of new specialist places to be created in mainstream schools for pupils with SEND. The £740 million capital investment will really help

councils in this area where demand has increased dramatically in recent years. This is really good news for families and will ensure that pupils with SEND will have their needs better met. Our administration is committed to engaging all councillors, all residents, businesses and council staff in ideas for how we can balance the budget for the next financial year. Councillor Taylor and I recently attended a joint meeting of our overview and scrutiny committees last week where we answered questions on all aspects of our plans for the budget and the approach that we're taking to budget setting this time around. We've also launched an online budget simulator which enables residents to see for themselves how difficult the budget decision making process is. But also gives the opportunity for them to tell us which services matter most, which services they would aim to prioritise and protect, and where they would choose to reduce funding. We look forward to hearing ideas from everybody.

Also, today we will be considering a paper on school admissions. I want to acknowledge the significant interest in the proposals on school admissions, as a Labour administration we stood on a platform driven by our values of creating greater equality and fairness in all aspects of our society. Social segregation in our schools has been an issue in Brighton and Hove for many years and it's something that we're rightly seeking to address. We've already taken action through introducing our free school meals policy and our mental health pilot in schools. The pilot for year 9s has so far seen 63 young people accessing this offer with a further 14 young people to start counselling after the Christmas break. So that we fully understand the impact of our pilot, counsellors and schools are undertaking some reflective work and producing case studies to support our better understanding of the broader needs of the young people that are using this offer. This will provide greater awareness of challenges around access and inform future options. When we took over the administration of this council last year, we promised to be a listening council. We know that with big decisions like changes to school admissions, which will have a wide impact across the city, consultation is key. That's why we decided to opt to an early engagement exercise earlier this year to test some potential options. The report that cabinet is asked to consider today includes a recommendation to now move to formal consultation. This formal consultation recognises the results of the initial engagement exercise where none of the illustrative options received majority support, but where other suggestions came forward, including marginal ballots. The marginal ballots proposal would address a fundamental unfairness in our system at present, which is that some families have only one school in their catchment area whereas other have a choice of more than one school in catchment. It is those in outer lying areas that currently have no choice. Marginal ballots offers a way to help address this unfairness and ensure that some choice is offered, albeit in a more limited way to all parents in this city. We're pleased that one thing that came through the engagement exercise was that our new free school meals admissions criteria seems to have attracted increased support, and we're proud to be the first council in England to have brought this forward. As the Labour Party both locally and nationally, breaking down barriers to opportunity is core to our mission. We're also really pleased to say that Cardinal Newman School is now consulting on introducing the same free school meals policy, which doesn't automatically apply to them as a faith school. I think this demonstrates the role that this council can play in values and place leadership. Also included in the consultation that we will discuss this afternoon, is the proposal to reduce PAN, we have aimed to make this proposal in an even-handed way that includes reducing PAN across the city including Longhill, Hove Park, and Dorothy Stringer. This is in recognition of falling pupil numbers in our city. We're also proposing to increase the

number of school preferences that all families can make for their child's secondary admission, demonstrating how we want to increase and improve agency across the board. If we decide to proceed with this consultation today, we look forward to receiving feedback from families and school communities through the consultation.

And finally, today we are considering a report on our fair and inclusive action plan. Which shows the actions we're taking to diversify the council workforce, improve learning, and develop on our equality and diversity promise for all staff. Also ensuring that the lived experience of our residents is reflected in everything that we do as a council. While it's good to see progress in many areas, it's also important to be honest that we are somewhere way off where we need to be. I'm pleased that we're being transparent on our gaps in these areas and where we need to strengthen our policies in line with our people promise. I also want to acknowledge the incredible work of our Trade Unions and our staff forums for their advocacy which aims to ensure that our workplaces are not just diverse but also truly inclusive. Women are overrepresented in all levels at this council, LGBT staff are also well represented, and the percentage of BME, disabled, and all other staff in the council workforce continues to increase I'm pleased to say. But it's still not representative of the economically active communities that we serve in the city. So, I'm pleased that we're considering this report today and I'm also pleased that the paper considers proposals for the nucleation of socioeconomic data which would be a first for this council.

108 CALL OVER

106.1 All items on the agenda were reserved for discussion.

109 PUBLIC INVOLVEMENT

(C) Deputations

1) Council's analysis of public responses to the engagement exercise on secondary school admissions

106.1 Cabinet considered a deputation that made observations on the engagement exercise on secondary school admissions arrangements.

106.2 Councillor Taylor provided the following response:

Thank you, Mark, for your deputation and also your work in representing the Parent Support Group. I realise you probably don't want to be doing that, but you've obviously been doing a lot of work with that group and presenting views.

I'll start by, as the chair says, responding to the deputation as written. Many of the other issues we will review substantially when we get to the report. The deputation as written was talking about the presentation and content of the summary of the engagement exercise as we published. I think, to answer that broadly, my sense from parents, both in terms of email discussion and Facebook comments, is that broadly speaking they accepted that the engagement output that we published was fairly representative of views. We published both a summary of the survey result and then we also published a summary of the minutes of the four, I think, public meetings that were held; public meetings of which I attended and listened to all of the content. I think we've been reasonably transparent as

to the level of opposition and concerns to elements of those proposals. That said, further information has been published in recent days, including some obviously anonymised actual detail of the comments that came through in the engagement exercise and the meetings as that's now on the website and partly answers really the thrust of this deputation in terms of being transparent on the feedback that came through.

In terms of the academic evidence, again referenced in the deputation as written, what we published were the things that were submitted proactively to the engagement exercise, including from Professor Dennett, Professor Gorard and other bits of evidence that came through alongside the consultation result. I think we've been reasonably transparent. I think people are fairly clear as to what that engagement exercise told us.

In terms of the next steps, that's what we'll be substantively discussing today in the report, including how we conduct the future consultation. But thank you again for your deputation.

106.3 **Resolved-** That Cabinet note the deputation.

2) Class Divide

106.4 Cabinet considered a deputation that made observations on the proposals for secondary school admissions arrangements.

106.5 Councillor Taylor provided the following response:

Thank you, Carlie, for your deputation and for your work which goes long before this engagement exercise or, indeed, before we introduced the Free School Meals policy last year.

I was going to say it's laudable work, but really it's inspiring work that you and other people at Class Divide have been doing to shine a light on the issues that many of us were aware of in the city, but haven't always been talked about and properly engaged with, so thank you.

Thank you for the content of your deputation. I think there's also something that we need to say that has come out of the engagement, which is that many of the parents that are concerned with the proposals, both in the engagement and now moving into potentially consultation if agreed tonight, have also really engaged with the issue and shown genuine care and compassion for everyone in the city. They don't want to see the gap in attainment that we see and they don't want to see the inequalities more broadly in the city, and I've been really impressed and pleased and happy that parts of the conversation have gone in that direction.

So now what we have to do is take forward a proposal that navigates the issue and brings the city with us. But as you say, that may involve some difficult decisions and may not please every single parent or family. I'm confident we can do that in the next stage by having a real consultation, engaging in the issues and the consequences of what the proposals are, including not having unintended consequences, which is what is being flagged by Mark and Adam and others. That's really important and that's what we will be doing. I know some people feel that this is rushed but, as you say Carlie, in a sense the issues are so important that we have to show some urgency in tackling them and we now have an 8-week statutory consultation to consider all those issues. But thank you again for your deputation.

106.6 **Resolved-** That Cabinet note the deputation.

110 ISSUES RAISED BY MEMBERS**(b) Members Questions**

110.1 A copy of the questions received was circulated ahead of the meeting. Responses provided are as follows:

1) Councillor Meadows- School Admission Arrangements 2026-27**Response from Councillor Taylor:**

As with our current published arrangements, there is no guarantee that children living in the catchment area will gain a catchment area school although the vast majority do. It is possible that under current and proposed arrangements that there are children who are applying for a place under the 'living in the catchment area' priority and do not gain a place. Where that child then goes to secondary school will depend on other preferences they have made, or the availability of the next nearest school with space should they need to have a place directed. The proposed PAN changes are in recognition of the falling pupil numbers in the city and the council's expressed desire to ensure all secondary schools in the city remain viable and able to thrive.

2) Councillor Meadows - School Admission Arrangements 2026-27**Response from Councillor Taylor:**

It is proposed that the largest size of a community secondary school in the city will be 300 pupils each year so that means a change to the PAN of Dorothy Stringer and Blatchington Mill schools. As with our current published arrangements, there is no guarantee that children living in the catchment area will gain a catchment area school although the vast majority do. It is possible that under current and proposed arrangements that there are children who are applying for a place under the 'living in the catchment area' priority and do not gain a place. Where that child then goes to secondary school will depend on other preferences they have made, or the availability of the next nearest school with space should they need to have a place directed. The proposed PAN changes are in recognition of the falling pupil numbers in the city and the council's expressed desire to ensure all secondary schools in the city remain viable and able to thrive.

3) Councillor Meadows- School Admission Arrangements 2026-27**Response from Councillor Taylor:**

There are areas of deprivation within the catchment areas of the other schools with proposed PAN reductions too. However, in response to this point, Longhill High School has long seen an intake that doesn't match its PAN. In order to allow the school the ability to accurate forecast staffing and curriculum needs it is the council's view that it is appropriate to formally reduce the schools' PAN. The proposed PAN reductions across all three schools are in recognition of the falling pupil numbers in the city and the

council's expressed desire to ensure all secondary schools in the city remain viable and able to thrive.

4) Councillor Meadows- School Admission Arrangements 2026-27

Response from Councillor Taylor:

Catchment areas remain an important element of secondary school admission arrangements in the city, providing the majority of parents/carers with a level of certainty about which school their child will likely transition to for their secondary education. How many places are taken via other admissions criteria will depend on the preferences parents express.

5) Councillor Meadows- School Admission Arrangements 2026-27

Response from Councillor Taylor:

We are aware of calls to wait for the full impact of the FSM priority to be understood before advancing these proposals. It is worth noting that these proposals won't come into effect until children are starting in year 7 in September 2026, nearly two years away. The issue of falling pupil numbers and of children in some areas of the city not achieving their potential is an important priority. We have taken a decision to anticipate the rise in FSM eligibility in the city and provide families with a certainty about the percentage of places available under this category.

6) Councillor Meadows- School Admission Arrangements 2026-27

Response from Councillor Taylor:

Proposed PAN reductions are based on a forecast data approach which had been proved to be highly accurate over many years. We know that the impact of falling pupil numbers will be felt across the city as a whole and therefore feel it appropriate to take PAN reductions across different areas. We are proposing that community secondary schools will not be larger than 300 places as part of a coordinated approach to managing the drop in pupil numbers.

7) Councillor Meadows- School Admission Arrangements 2026-27

Response from Councillor Taylor:

We are absolutely and categorically not indicating a loss of confidence in any of our schools – quite the opposite. We are proposing to consult on a range of measures that aim to ensure viability of all schools, whilst increasing fairness and equality in admissions.

8) Councillor Meadows- School Admission Arrangements 2026-27

Response from Councillor Taylor:

You are right in highlighting that the council has a responsibility to ensure that the admission arrangements it is responsible for are clear and understandable. We are proposing a public consultation which will help us understand how well the communities in Brighton & Hove understand the proposed arrangements. We are confident that what we propose will be understood and with any change the Council will undertake to explain what is different and what it means to people in the materials published to support the school admission process.

9) Councillor McNair- City Parks Service Standards 2025/26

Response from Councillor Robins:

The majority of verges across the City will be cut 6 times a year. I have asked the team to ensure those verges of high biodiversity value continue to be managed for biodiversity so they will not be cut 6 times a year, I have also asked them to look for suitable sites to expand this but these will not be narrow verges where the grass obstructs the footpath. The verges were not cut when they should have been this year in the Hove Park area however this was more than 2 cuts and in the Patcham and Hollingbury area they were cut 6 times.

10) Councillor McNair- City Parks Service Standards 2025/26

Response from Councillor Robins:

The lawn graves, which to be clear are in Hove Cemetery North, Bear Road Cemetery and Lawn Memorial [Woodingdean] Cemetery will be cut 10 times next year.

11) Councillor Hill- School Admission Arrangements 2026-27

Response from Councillor Taylor:

Thank you, Councillor Hill. A really important question and I largely agree with you. I'm always disappointed in the consultations that we do that we don't get a perfect representation of the make-up of the city. We know as a council, and we know as public bodies, that there are always communities that aren't always perfectly represented in the way that we consult.

What we are intending to do is do a broader range of meetings in the next stage of the consultation, including meetings in communities. I'm also in contact with a number of our third-sector partners who have agreed to try and help facilitate some of that engagement, including on their premises and with their service users. So we are trying to really meet exactly what you're getting at and I think we will have to admit that the council is not perfect at engaging everyone in consultation.

On the specific first point you raise about younger parents under 35 being underrepresented, it's an interesting point. I do wonder whether that might partly represent the fact that we know people are having children older in life. If you think about the parents and children that are particularly interested in this conversation, it will often be around those that are in years three, four and five and so parents are, perhaps getting on average, older than 35 for that age of children. But it's an interesting question and on all those groups that are mentioned, yes we want to try and do better at engaging those groups.

12) Councillor Pickett- City Parks Service Standards 2025/26**Response from Councillor Robins:**

This administration is committed to protecting the city's biodiversity. Rather than making blanket decisions across the whole City which cause residents inconvenience, are hard to manage and in extreme weather could create a health and safety issue, we propose to expand and enhance the wilder verges project. This will make more and better natural spaces for wildlife to thrive, that works better for residents and keeps the majority of highway verges cut many of which are narrow and adjoining pavements.

13) Councillor Pickett- City Parks Service Standards 2025/26**Response from Councillor Robins:**

I'll pick up on a couple of points there. Firstly, the 'number of years ago' you talk about was three years ago, and it was always agreed that we would review this after three years. So we're at the point of reviewing that, we always said we would. We're not doing this out of a sense of bloody mindedness or anything.

Secondly we're not really retuning to the former policy. What we're doing is looking to enhance spaces where we can actually make a difference to wildlife, and we want to protect and enhance natural habitats whilst also ensuring that our streets and highways are safe, well managed and tended.

Many Councils across the country are dealing with the same situation and we are in ongoing conversations with them to learn about ways of approaching this. I think one of the things that's come out of this is that truly valuable wildlife habitats develop over a number of years and should be permanent, not just transient and there for a month then cut away again. I think that's our approach this time, and again, thanks very much for your question and for raising the point with us.

14) Councillor McLeay- School Admission Arrangements 2026-27**Response from Councillor Taylor:**

It's a really good question and, as you say, it was the suggestion of Dr Ellen Greaves that perhaps we just wait and see the impact of the Free School Meals Policy. I think it's important to say that we should be able to, as Officers and Members, have sight of that data in advance of making any decisions. The tricky bit is that we may not be able to publish it publicly because there are rules around what can be published before national offer day that might imply communicating places. But yes, we should be able to have a pretty good grip of how that policy has worked in the current admissions year to inform what we want to do as a result of the consultation if agreed today, which as I say is a consultation and we may choose to do some of the things, all of the things, none of the things that are currently proposed.

15) Councillor McLeay- School Admission Arrangements 2026-27**Response from Councillor Taylor:**

Thank you for your question. It's important to state that in the current model, and indeed every other previous model of catchments, the Council has always been clear that from the point we introduced catchments in 2007, there is no guarantee for any parent to get a place at a specific school, including within catchment. Indeed, we have seen in previous years families not securing a place within catchment based on the admissions and the preferences and the demographics of that particular year.

However, clearly the concern being expressed by some parents is: do the proposals lead to a much higher, and possibly intolerable, amount of people not getting places within catchment? That's what we're going to have to consider, including the transport element.

You're absolutely right to say that there are many people who are on low incomes and, I would argue, living with a very low amount of disposable income, who are not on free school meals. So that's an important consideration as we weigh it all up.

It is also important to say that we are planning to, and were anyway, going to review our Home to School transport policy early in the new year which will be good timing, versus these school admissions proposals because we can layer on the learning from the school admissions to set our Home to School transport policy in the new year.

16) Councillor Sykes- TBM Month 7

Response from Councillor Taylor:

Thanks, Councillor Sykes. It's obviously an important question and neither of us wants to see a low council tax collection rate or a deficit. As you sort of intimated, we think a big driver of that is really the cost of living in the city: high rental markets, high mortgage costs because property prices are high post-pandemic etc in terms of cost of living. I think it's also worth noting that, I understand from officers, that we have seen similar positions throughout the last 20 years. Post-financial crash we had an increased deficit, post-pandemic we had a bit of a spike in deficit and collection rates, and so to an extent it's somewhat to be expected in line with the overall economic conditions.

However, to your question on what we're thinking about in terms of that, we did announce in October that we're going to be reviewing our corporate debt policy which sets out our approach to collection and recovery of debt and arrears and we'll bring back a report to Cabinet in February.

We'll be moving towards a pre-enforcement preventative approach and in some senses we'll be leading the way nationally. Not this administration, but previous administrations have been leading the way nationally on that sort of pre-enforcement preventative approach for some years. We'll explore how we can work to improve this further with partners and other advice agencies to strengthen that approach, particularly as we know that helping people spread and manage debt, access welfare benefits they may be due but not aware of, or provide financial coaching an advice, has a more sustained effect than allowing the debt to grow unchecked. So those are the kinds of things we will need to consider, and as I say we'll bring it back in February for consideration.

17) Councillor Fowler- School Admission Arrangements

Response from Councillor Robins:

Thank you Councillor Fowler. I know you've been having extensive discussion with your residents and I know they bring it to your surgeries and contact you and, obviously, well done for bringing questions on their behalf to Cabinet.

In short, yes it will be a genuine engagement. We will genuinely consider these issues and consider whether the proposals have struck the right balance. Clearly you're going to continue to advocate for your residents in that discussion, and we will certainly consider it deeply and listen to the feedback that we get in the consultation, and factor that all in with anything that we decide to take forward.

111 MATTERS REFERRED TO THE EXECUTIVE

There were none.

112 REPRESENTATIONS FROM OPPOSITION MEMBERS

106.1 Cabinet received a representation from Councillor Hill on Item 113: School Admission Arrangements 2026-27.

106.2 Cabinet received a representation from Councillor Pickett on Item 114: City Parks Service Standards 2025-26.

113 SCHOOL ADMISSION ARRANGEMENTS 2026-27

106.1 Cabinet considered a report that detailed the proposed school admission arrangements for the academic year 2026-27 for the schools in the city where the council was the admission authority.

106.2 Councillor Taylor moved a motion to the amend the recommendations as shown in bold italics and as struckthrough below:

2.3 Cabinet agrees to consult on making a change to the admission priorities for secondary schools to include a change in the application of a criteria for pupils with Free School Meals and the introduction of a criteria for pupils outside the catchment area. ***The application of the Free School Meals priorities should align with the intention of allowing additional access to pupils on Free School Meals where a school would otherwise not meet the city-wide average figure for their overall intake.*** The proposed admission arrangements are detailed below and in Appendix 5.

2.9 Cabinet agrees to amend paragraph 5.9 to read:

5.9 The scheduling of public meetings will include:

- ~~Monday 9 December – Online 18:00 – 19:30~~
- Thursday 12 December – Online 10:00 – 11:30
- Tuesday 7 January – In-person 18:00 – 19:30, Hove Town Hall (TBC)
- Saturday 11 January – In-person 10:30 – 12:00, Jubilee Library
- (TBC)

Further meetings will take place and the details for these will be

available when the public consultation launches on 6 December 2024.

106.3 Councillor Daniel formally seconded the motion.

106.4 Councillor Rowkins, Taylor, Muten, Sankey, Alexander and Robins asked questions and contributed to the debate of the report.

106.5 The Chair then put the motion to the vote that passed.

106.6 The Chair then put the recommendations as amended to the vote that were agreed.

106.7 Resolved-

- 1) Cabinet agrees to make no changes to the Council's admission arrangements other than the proposed changes listed below.
- 2) Cabinet agrees to consult upon a change to the Published Admission number (PAN) of Rudyard Kipling Primary School from 30 pupils to 45 pupils.
- 3) Cabinet agrees to consult on making a change to the admission priorities for secondary schools to include a change in the application of a criteria for pupils with Free School Meals and the introduction of a criteria for pupils outside the catchment area. The application of the Free School Meals priorities should align with the intention of allowing additional access to pupils on Free School Meals where a school would otherwise not meet the city-wide average figure for their overall intake. The proposed admission arrangements are detailed below and in Appendix 5.
- 4) Cabinet agrees to consult upon a change to the PAN of Longhill High School from 270 pupils to 210 pupils, Blatchington Mill School from 330 pupils to 300 pupils and Dorothy Stringer School from 330 pupils to 300 pupils. The proposed PANs are detailed below and in Appendix 1.
- 5) Cabinet agrees to consult on making changes to the catchment area of Longhill High School and the catchment area of Dorothy Stringer and Varndean schools. The proposed admission arrangements are detailed below and in Appendix 5.
- 6) Cabinet agrees to consult on increasing the number of preferences that families can make from three to four.
- 7) Cabinet agrees to consult on the "relevant area" remaining the same. The "relevant area" is the area which describes the geographical area of consultation that any school proposing a change to admission arrangements must use. This is currently defined as the area within the city boundary.
- 8) Cabinet agrees to make the changes to the wording of the admission arrangements for 2026/27 as advised by the Schools Adjudicator in recent written decisions, namely how a pupil's main address is determined if they live at more than one address, how parents apply for admission out of the usual year group and updated notes and the definition of

the random allocation process. These changes will ensure the requirements of the School Admissions Code are met. Admission arrangements are detailed in Appendix 5.

- 9) Cabinet agrees to amend paragraph 5.9 to read:

5.9 The scheduling of public meetings will include:

- Thursday 12 December – Online 10:00 – 11:30
- Tuesday 7 January – In-person 18:00 – 19:30, Hove Town Hall (TBC)
- Saturday 11 January – In-person 10:30 – 12:00, Jubilee Library
- (TBC)

Further meetings will take place and the details for these will be available when the public consultation launches on 6 December 2024.

114 CITY PARKS SERVICE STANDARDS 2025/26

106.1 Cabinet considered a report that sought approval for revised interim approach to key City Parks service standards for 2025/26.

106.2 Councillors Pumm, Muten, Robinson, Alexander, Rowkins and Sankey asked questions and contributed to the debate of the report.

106.3 Resolved-

- 1) Cabinet approves the proposed interim approach to service standards for 2025/26 as set out in sections 3.15– 3.35, and supports the wider improvements as set out in sections 3.36-3.45.
- 2) Cabinet delegates authority to the Corporate Director- City Services to procure the works referenced in sections 3.29-3.32 of the report where budget can be allocated from current core budgets.
- 3) Cabinet notes the need for additional budget to deliver to the tree basal works, additional GIS mapping works and the development of a proactive communications campaign as referenced in sections 3.28, 3.42 and 4.3 of the report.
- 4) Cabinet notes that a further report will be brought to Cabinet to outline the longer-term approach to Cityparks Vision and delivery in 2025.

The meeting adjourned at 18:55 and reconvened at 19:10

115 COUNCIL PLAN PERFORMANCE UPDATE

106.1 Cabinet considered a report that provided an update in relation to delivering the Council Plan in 2024/25.

106.2 Councillors Williams, Robins, Alexander, Muten, Rowkins and Sankey asked questions and contributed to the debate of the report.

106.3 Resolved-

- 1) Cabinet notes the progress made in relation to delivering the Council Plan in 2024/25 as outlined in section 3 and with full details in appendix 1.
- 2) Cabinet notes current strategic risks, tabled in section 4, which are managed in line with the Risk Management Framework (appendix 2). Full details of strategic risks are provided in appendix 3.

116 TARGETED BUDGET MANAGEMENT (TBM) 2023/24: MONTH 7 (OCTOBER)

116.1 Cabinet considered a report that set out an indication of forecast risks as at Month 7 on the council's revenue and capital budgets for the financial year 2024/25.

116.2 Resolved-

- 1) Cabinet notes the forecast risk position for the General Fund, which indicates a potential forecast overspend risk of £6.808m.
- 2) Cabinet notes the forecast outturn includes a forecast overspend risk of £1.735m on the NHS managed Section 75 services.
- 3) Cabinet notes the forecast breakeven position for the separate Housing Revenue Account (HRA).
- 4) Cabinet notes the forecast overspend risk for the ring-fenced Dedicated Schools Grant, which is an overspend of £1.158m.
- 5) Cabinet notes the forecast position on the Capital Programme which is an underspend variance of £1.296m.
- 6) Cabinet approves the capital budget variations and re-profiling requests set out in Appendix 6.
- 7) Cabinet notes the Treasury Management mid-year review 2024/25 as set out in Appendix 7.

117 FAIR AND INCLUSIVE UPDATE INCLUDING PAY GAP REPORTS

117.1 Cabinet considered a report that set out a Fair and inclusive Action Plan update including workforce equalities and pay gap reports.

117.2 Councillors Sankey, Williams and Pumm asked questions and contributed to the debate of the report.

117.3 Resolved-

- 1) That Cabinet notes the report and progress made to date.

- 2) That Cabinet agrees the data-driven approach to prioritise actions and allocate resource where there is greatest need, as set out in the report, for example, to improve the experiences of disabled staff and better understand the impacts of different intersecting identities.
- 3) That Cabinet notes the proposal set out at paragraph 3.13 to explore the collation of socio-economic background data to provide further insight ahead of the government's proposal to enact the socio-economic duty of Section 1 of the Equality Act 2010.

The meeting concluded at 7.50pm

BRIGHTON & HOVE CITY COUNCIL

CABINET

11.30am 9 JANUARY 2025

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Sankey (Chair) Taylor (Deputy Chair), Burden, Daniel, Miller, Muten, Pumm, Robins, Rowkins and Williams

Other Members present: Councillors Alexander, Robinson

PART ONE

118 PROCEDURAL BUSINESS

118a Declarations of interests

118.1 There were none.

118b Exclusion of the press and public

118.2 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

118.3 **Resolved** That the public are excluded from the meeting from any items listed on Part 2 of the agenda.

119 CHAIR'S COMMUNICATIONS

119.1 The Chair provided the following Communications:

Good morning everyone and welcome to today's Special Cabinet meeting.
We are meeting today to consider whether Brighton & Hove should submit an expression of interest to join the government's Devolution Priority Programme. As outlined in the report, the urgency of today's meeting has arisen due to the Government's deadline of 10 January to receive responses to this invitation.
The English Devolution White Paper published in December, clearly set out the Government's ambition for all area of England to have devolved powers and for these powers to be equal.

For many years, we have witnessed areas particularly in the North of England, reap the benefits of devolution. Greater Manchester, Liverpool City Region, West Yorkshire and the East and West Midlands all have established Mayoral Combined Authorities. Their elected Mayors are prominent and known political figures who have the ear of government and are able to champion their areas. They have significant powers and integrated financial settlements enabling them to plan over a much longer period.

As a result, their residents have seen really tangible results. Following the recent announcement that the single bus fare cap would be increased to £3, Greater Manchester was able to make the decision to keep their cap at £2, because they had the powers to do so. This is exactly the kind of local decision making I think will benefit our region.

Meanwhile, the South East region has almost no devolution coverage, despite attempts in some areas to progress this. So I think it is absolutely in the interests of our city and region to reap the benefits of devolution as soon as we can. The quickest and most direct way to do this is by joining the priority programme.

The Government's new devolution framework will see even further powers given to directly elected Mayors, including:

- a statutory responsibility for the rail network
- the ability to charge developers a Mayoral Levy to ensure that new developments come with the necessary associated infrastructure
- the necessary funding to deliver on housing ambitions
- and a strategic role in the delivery of the Great British Energy Local Power Plans, delivering local sustainable energy generation.

This is to name just a few of the powers that will benefit our region, not to mention the fundamental reform of public services which will see much more integration across local authorities, police and fire services and the NHS.

So, I see this as a really exciting moment and opportunity for our city and region. I am optimistic and ambitious about devolution because of the direct benefits it would bring. There is already an extensive economic and business case for Sussex devolution to build on the experience across all our local authority boundaries.

Overall Sussex is an economically prosperous region, but there are significant regional disparities, with pockets of deprivation and unmet potential. Devolution has the potential to turn these challenges into opportunities, and support collaboration to drive economic and social benefits.

Since the publication of the White Paper in December, I have met with the Leaders of East and West Sussex and today their Cabinets are also considering the option of Sussex joining the devolution priority programme. We will continue these conversations and are committed to working together as proposals for devolution evolve.

Finally, before we get onto the proper discussion on the report, I want to emphasise that we are still at a very early stage of the process. Should it be agreed today that Sussex submits an application to join the priority programme and if we are accepted to it by government, there will be a consultation process which follows, to ensure that our residents, businesses and partners have their say on the proposals. The government have said that they will lead this consultation but we will work closely with them to ensure that it reaches all of our communities.

I know that there is significant interest from Councillors in today's report. For that reason, I have been happy to extend the member engagement time today to answer as many questions as possible.

120 PUBLIC INVOLVEMENT**(B) Public Questions****(i) Devolution White Paper Update**

120.1 Ben Thomas read the following question:

Is Brighton and Hove City Council actively seeking to be exempted from the required threshold of 500,000 residents in the new proposed unitary authorities, or will the authority boundaries have to expand beyond the city, thereby ending Brighton and Hove's unique identity?

120.2 The Chair provided the following reply:

Thanks Ben very much for your question and just to be really clear for anybody who is in the room and everybody that's watching, Ben is referring to the proposals that also exist in the white paper around unitization, principally of areas that are currently two-tier areas. So, for example, in our neighbouring areas of West Sussex and East Sussex, you have county councils, and you have districts and borough councils that sit underneath them each responsible for a mix of services that we here in Brighton & Hove as an existing unitary authority, already provide comprehensively and holistically.

As Ben says what the government has said in the White Paper is that they want to move to tier areas into being unitary authorities. So, authorities that are the same as us in terms of delivering a comprehensive whole of public services. And they've also said that they believe that the optimum size or a more efficient size for unitaries to operate is at a larger size than Brighton & Hove currently is at 280,000 people.

I think it's worth saying initially that what's clear in the White Paper is a real vote of confidence in unitary authorities, including unitary authorities like Brighton & Hove. It's really clear to me from the White Paper and from my discussions with government that they believe that unitary authorities like us are best place to deliver high quality public services. I think it's also clear that they see more potential in unitary authorities that we could deliver better and potentially more and have greater coverage and really be in the driving seat of total place leadership.

So, I think it's an exciting moment to be in a unitary authority, and it's an exciting moment to look at what the government might have in store on the very specific question of what this means for Brighton & Hove. That is a conversation that has not yet started with government and has not yet started in earnest or in substance with our neighbouring authorities, although we are obviously cognizant of what the White Paper has set out.

The government has been very clear though that they believe there will be flexibilities around that number that they have identified in the White Paper of 500,000 and they've said about that that they're keen to work with places and with unitary authorities to understand what will work best in local areas. So, there is flexibility there to ensure that the best size unitaries are reached across the country from place to place. I think I would say additionally in response to your question that there is absolutely no possibility or any chance of Brighton & Hove as a proud city with city status being diminished in any way, even if we were to become part of a unitary that was slightly larger than our current footprint. We would still be the city of Brighton and home with everything that that means about our identity, our very proud history and who we are as a people and a place. So,

it's important that we don't conflate the delivery of local authority services with place identity as they are distinct. And I'll be very clear with anybody that I'm speaking to about this with the neighbouring authorities or with the government that Brighton & Hove is a very special and a very specific place and will retain our identity as such.

121 ISSUES RAISED BY MEMBERS

121.1 A copy of the questions received was circulated ahead of the meeting. Responses provided are as follows:

(1) Councillor Meadows- Devolution White Paper

Response from Councillor Sankey:

The White Paper represents a vote of confidence in unitary authorities, such as Brighton and Hove City Council, as the best, most holistic and efficient way to deliver high quality public services. For this reason Government is seeking to move two-tier areas into the unitary model as is clearly ambitious for unitary councils like ours to be one of the principal vehicles for public service delivery. The White Paper also states that unitary councils must be the right size to achieve efficiencies, improve capacity and withstand financial shocks and that for most areas this will mean creating councils with a population of 500,000 or more. However, the government has said there may be exceptions to this, to ensure new structures make sense for an area, including for devolution, and decisions will be made on a case-by-case basis. Whatever we propose for Brighton and Hove, our City status and identity will remain strong. We will continue to share reports to Cabinet and Scrutiny as proposals evolve, to ensure full engagement and consideration of options and their impacts.

(2) Councillor McNair - Devolution White Paper

Response from Councillor Sankey:

No, Brighton & Hove will retain its city status.

(3) Councillor Meadows- Devolution White Paper

Response from Councillor Sankey:

The timeline and process for Local Government Reorganisation (LGR) has not yet been confirmed. The Government has said that they will be writing to all councils (whether or not they are part of the devolution priority programme) this month to set out the process for LGR and invite proposals. We will work closely with councils across Sussex, including the Counties, Districts and Boroughs, to develop unitary proposals for our area.

(4) Councillor McNair- Devolution White Paper

Response from Councillor Sankey:

No decisions have yet been taken on Local Government Reorganisation (LGR). The Government has said that they will be writing to all councils this month to set out the process for LGR. We will work closely with all councils in Sussex to develop unitary proposals for our area.

(5) Councillor McNair- Devolution White Paper

Response from Councillor Sankey:

No decisions have yet been taken on Local Government Reorganisation (LGR). The Government has said that they will be writing to all councils this month to set out the process for LGR. We will work closely with councils in Sussex to develop unitary proposals for our area.

(6) Councillor Meadows- Devolution White Paper

Response from Councillor Sankey:

Local government reorganisation requires the passing of a new Statutory Instrument (SI) which provides an underpinning framework for reorganisation. Most SIs dealing with reorganisation will take effect prior to the creation of the new unitary authority. Should this be the case, the SI will designate the newly created unitaries as 'shadow authorities' until they are formally established. The SI would direct how the shadow authority should be structured and prescribe the obligations and standards that the shadow authority will be expected to adhere to during the transitional period and to prepare for the creation of the new unitary.

(7) Councillor McNair- Devolution White Paper

Response from Councillor Sankey:

No decisions on the form of future unitary authorities have been made, including the number of Councillors.

(8) Councillor Meadows- Devolution White Paper

Response from Councillor Sankey:

No decisions have yet been taken on Local Government Reorganisation (LGR). The Government has said that they will be writing to all councils this month to set out the process for LGR. We will work closely with councils in Sussex to develop unitary proposals for our area.

(9) Councillor McNair- Devolution White Paper

Response from Councillor Sankey:

Residents can rest assured that Brighton & Hove's distinct identity will remain and we will retain our city status. The focus is on harnessing the city's growth potential to make it an even better place to live, work, and visit and to ensure greater connectedness

across the region. By tapping into the unique strengths and opportunities within Brighton & Hove, we can drive significant economic and social benefits for the community.

The aim of Strategic Unitary Authorities is not to take away from the city's identity but to empower it further. This involves giving more power to local economies, health services, and other critical areas such as planning and transport, allowing for more tailored and effective decision-making that reflects the needs and values of our community. By embracing these opportunities, we can enhance the quality of life for residents while preserving the distinctiveness that makes Brighton & Hove special. The goal is to build on what makes our city unique and ensure it continues to thrive and prosper. We will ensure that any proposals align with our council missions and our vision for A better Brighton & Hove for all.

(10) Councillor Pickett- Devolution White Paper

Response from Councillor Sankey:

The focus of this cabinet meeting is considering whether Brighton & Hove should join the Devolution Priority Programme.

The issues with our refuse and recycling services and Cityclean have been well aired over recent months and there has been a recent investigation into some of the systemic issues in that service. Those are legacy issues that we are still working our way through to ensure that we have the highest quality delivery of that service for our residents in Brighton and Hove.

I'm not sure there's much to say about the impact of potential Local Government Reorganization other than I don't think that I accept the premise that this would necessarily pose a challenge to Cityclean. I think one of the driving purposes, or ideas, behind potential Local Government Reorganization and operating at a slightly larger footprint would be to gain from efficiencies and economies of scale in how our services are delivered.

It could potentially be an opportunity, but we're not yet into the business of discussing Local Government Reorganization and I don't yet have anything further that can be shared on that. The thrust of Local Government Reorganization is to improve services and to gain from efficiencies. You'll know, and I hope residents are aware, that we're currently undergoing a major piece of modernization work with Cityclean which I think will deliver significant improvements in the service because we are not yet operating fully on a digital service, which has been the case in other authorities in some cases for years or even decades. So, there is a backlog and a legacy set of issues we're addressing, and I think we'll see service improvements hopefully before we even get around to the fruits of devolution and Local Government Reorganization.

(11) Councillor Pickett- Devolution White Paper

Response from Councillor Sankey:

The Governments drive in the White Paper to make representation more local and more democratic is principally around the devolution side of it: the establishment of new strategic authorities that would exercise powers and receive investment that is currently exercised or delivered by central government.

At the moment, there are a set of decisions that ministers and civil servants, quite remote from our communities in Brighton and Hove and in East and West Sussex, are making and taking about us that we don't have any direct influence over as residents, communities, and businesses here in Brighton and Hove and wider Sussex.

The idea is that those powers, and a whole set of investment, is moved to a strategic authority for Sussex so that those decisions are being taken at a regional level. On that strategic authority would sit a Mayor for Sussex, but also leaders of the Unitary Authorities that make up the Sussex area. Those would be elected directly by residents in Brighton and Hove and Sussex. It would create a whole new layer of political accountability, political influence, and democratic oversight that the residents of our area would have over decisions that affect them. This is about bringing decision making back to the regional level that currently sits at government.

I think your question in part refers to the potential impact of the Unitarisation proposals and Unitaries on a slightly larger footprint and whether that would mean fewer Councils operating at the Unitary level. I don't yet have any details on that; we're not yet thinking about, or in discussions about, what those Unitary proposals would look like and what Ward boundaries would look like – today's discussion is about Devolution.

It's important to say, because a few of the questions reference this, that there is a lot going on in this White Paper and there are two separate, but linked, issues of Devolution and Unitarisation. But they are distinct and are talking about different things and it's going to be really important to not over conflate them. The last thing I want is residents thinking that there is no longer going to be Brighton and Hove City Council and that there will just be a Sussex Council: that is not the case. There will still be very local, very accountable and very visible local leadership and delivery of services in Brighton and Hove. The main change that I think will be experienced by residents will be that there is now this regional body that will also be able to be influenced by residents, have their oversight, and have their democratic legitimacy and making those regional decisions in the interest of people in Sussex.

(12) Councillor Pickett- Devolution White Paper

Response from Councillor Sankey:

I think I would argue that, given that London started on the Devolution journey in the late 90's, given that we've seen Devolution in Wales, in Scotland, and across the North of England over many years, the idea of Brighton and Hove and Sussex looking at Devolution in 2025 is not really rushing it. It's a process that has already begun in much, if not most, of our Country. We're seeing directly the benefits that people in other parts of the Country are getting as a result.

To my mind, it would be really remiss not to explore what Devolution could bring to Brighton and Hove because it means that we potentially get left behind and aren't taking advantage of those powers, opportunities and investment that is currently going elsewhere.

The government has a very clear mandate for Devolution: it was part of the Labour Party manifesto, and we stood on a platform of change. I don't think that this is being rushed, I think this is completely in-line with what was set out in our manifesto last July. As you will be aware, and I hope as residents are aware, we first received notice from government that same month, straight after the General Election when Angela Rayner wrote to all Upper Tier Authorities inviting expressions of interest. We sent one in September. We've already started doing the work and the thinking as an Authority about

what Devolution could bring to us as an Authority and to Sussex. This isn't a rushed process, this is a staged process, but there is this window now to opt-in to the Priority Programme to ensure that we are receiving the benefits of Devolution in a timely way.

(13) Councillor Sykes- Devolution White Paper

Response from Councillor Sankey:

I don't think that the government has got in wrong in terms of diagnosing the problem. There's a huge body of evidence and material out there about how you construct a system of government that is going to best enable, not just growth, but sustainable and inclusive growth as well. What I mean by that is growth that lifts those deprived communities that most need the benefits of economic growth. If you look at where the UK stands in the international league tables, we are being held back. If you look at the way other Countries, particularly other European Countries, structure themselves, you find that we are one the most centralized Countries in Europe.

If you speak to our Local Government Minister, Jim McMahon, he's tied up making 80 to 100 decisions a day, including on some of the most small scale issues that get sent up to him by different Local Government Structures because of the way that we have set ourselves up.

There is far too much centralization; if we really are serious about wanting to drive economic growth in this country and getting the spoils and prosperity of it for our communities, then we need to push that decision making outwards and empower communities at the regional and local levels to make the decisions they need to move their places forward.

I don't think there's a problem with what the government has diagnosed. That's not to say that there aren't multiple reasons that we're being held back from growth, but I don't think that means that there isn't a problem with how we structure ourselves as well.

(14) Councillor Sykes- Devolution White Paper

Response from Councillor Sankey:

The clear thrust of the White Paper is decentralization and moving powers and decision-making outwards. In all my conversations with government, it's very clear that this is seen as a central plank of how we will deliver as the Labour Party on what we have promised in our manifesto and on our priorities. That is very genuine, sincere, and there to see in black and white.

On the issue around Local Government Reorganisation, I do accept and understand that the government is taking a directive approach to this. I think this is always the case with Local Government Reorganisation: there has to be certain parameters, or a framework, that is laid out. If you had a blank sheet of paper, and every area was able to design its own government structures, it would be pretty chaotic and difficult to manage. Ultimately, Local Government is there to deliver for residents and to also deliver things that central government is making available. So, there does need to be a structure.

When Jim McMahon talked about the process that they've gone through to identify how best to do this, he will talk about the fact that when he's been engaging with Local Government through its different representative networks, what came back to him in that first 6 months that he was Local Government Minister was a clear feeling that we need

to be told what it is that is planned and how the government wants to do things. There does need to be some directive and direction given.

That is not to say that the government then doesn't want to move into a phase of us shaping these arrangements for our local areas, whether that is: drawing up and thinking about what the Unitary boundaries might look like, thinking about the governance structure we would want on a Sussex Strategic Authority, the powers we want and how we might want to use them, what investment looks like, what the particular challenges are we face in Sussex when it comes to growth and how government can help us particularly address those.

Government recognizes that everyplace is very different and has a unique set of challenges and opportunities. The government is asking for a dialogue and a two-way conversation. They accept the parameters of how they think this new system will work. Of course, understandably, if you were in a district Council or a borough Council or a county Council, I understand that there is feeling of concern and anxiety because of what government is proposing and what that means for your existing authority. That is accepted but I think that is always going to be inevitable when there is some element of Local Government Reorganization; it's essentially constitutional reform and government has a very important role to play in that reform, but it doesn't mean that there isn't space for dialogue and for us to shape things. One of the considerations in my mind is that by being part of the priority programme on Devolution is something that I think gives us in Brighton and Hove a bigger stake in shaping the proposals that come down the line. It means that we're part of a flagship government programme where they will be wanting to work really well and productively with us to deliver something that is going to be of benefit to our residents. Government has a stake in that, we have a stake in that, and I think that gives us the best platform for the dialogue and leverage that we want in that conversation.

(15) Councillor West- Devolution White Paper

Response from Councillor Sankey:

Today we're discussing the Devolution Priority Programme, we're not discussing anything around Local Government Reorganisation. Essentially what the Priority Programme offers to residents in Brighton and Hove and in wider Sussex is more funding, more investment, and more powers to make decisions about our area and what we need: whether it's integrated transport, whether it's net zero, or whatever it may be. Of course, as we go on this journey, if that's the decision that Cabinet makes today, we will bring back regular reports and updates to all of Council and we will communicate regularly with residents. As I mentioned earlier, if we are on the Priority Programme there will be a full consultation on that with residents.

It's not an issue that constitutionally requires a referendum: it's government offering more investment and more powers to make decisions, so it's a democratising initiative that offers more to residents than they currently have.

(16) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

As we shape the strategic authority for Sussex, if that's the road we go down, it is not just a directly elected Mayor that would sit on that body, but also the leaders of the

constituent Unitary Authorities. The government has said in the White Paper that decision making will take place by majority on that body, so it's not just the case that only the mayor will exercise executive function.

The second thing I would say is let's make sure we elect a mayor, if we are going down this road, who believes in public ownership of the rail network.

(17) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

There have been no substantive discussions, as you might expect, on what Local Government Reorganisation and Unitirisation and Unitary Boundaries in Sussex would look like. That's not the task of the process to signal interest in the Devolution Priority Programme. All we're doing with the Devolution Priority Programme is saying that we as a local area, and presumably East and West Sussex are considering today whether they as local authority areas, are interested in joining the programme. We're not being asked to submit any proposals on Local Government Reorganisation or anything of that detail. In discussions that myself and the Chief Executive have had with government this week (we were up yesterday meeting with the Local Government Minister to talk about Sussex), government has made very clear that whether or not you're on the Devolution Priority Programme, anyone who is within a Unitary of our size, so below the 500,000 threshold that is mentioned in the White Paper, and any authority that is in a 2 tier area will receive a letter from government this month inviting proposals on Local Government Reorganisation. So, the government have linked the 2 things to a certain extent, but it's also very clear that, regardless of Devolution, the government is perusing a path of Local Government Reorganisation that would happen, and you will be involved in as an organisation, whether or not you want to do Devolution at all. The Local Government Reorganisation process will continue regardless.

What the government has said is that their hope and their expectation is that all neighboring authorities (Unitary, Districts, Boroughs, and Counties) will speak to one and other, try and find some consensus around Unitirisation, and try and put forward a joint proposal to government on that. The government has also said that they understand that might not be possible and that competing proposals may be put forward for what Unitary boundaries look like and then a decision on that would ultimately be made by government.

(18) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

I think there is always going to be a level of arbitrariness wherever the government draws the line on the size of a Unitary Authority. My understanding is that government has done quite a bit of work in exploring and understanding the delivery of different sized Unitary Authorities and what they think would deliver greater financial sustainability, efficiencies, being able to withstand external financial shocks, etcetera, all of the things that are listed in the White Paper.

I think the difference between our Labour government and the last Conservative government, with Michael Gove in this case, is, as I said earlier, the government has already been very explicit that they are prepared to be flexible and to listen to Local

Authorities when they make cases as to why they might want to remain a certain size or only move to a certain size and not move to the 500,000 target that has been set. Whereas in this case, the previous Conservative government thought that they always knew best and were much less inclined to listen to Local Government. I think that's a really important shift that we've seen with the change of government from Conservative to Labour and, indeed, throughout the White Paper, for those that have read it, you will see a real clear commitment to a resetting of the relationship between Local and Central government: a partnership approach to the delivery of services rather than the sort of parent-child approach that I think was favoured by the last Conservative government.

(19) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

I'm incredibly proud of our city's status as being such an important city for LGBTQIA+ people. It's absolutely integral to our identity as a city and I think that it is something that is very special about this place, something that we are recognised for across the country and, indeed, internationally.

There is absolutely no question of that changing in anyway, or of us taking our eye off the ball in terms of the work we are doing at all times to challenge the discrimination that still exists in the city and in the wider world, and to improve outcomes for LGBTQIA+ people. That is the political commitment and political vision as I see it.

On the specific point of Equalities Impact Assessment, every single move we make will be Equality Impact Assessed, as it always is. And obviously for any major decision around our size and our scale, that will be a key consideration.

(20) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

I can't speak to, and I'm not privy to, what's happened with previous Unitirisation arrangements, and I think there's also an issue here about what's within our remit and scope within what this Authority is doing and saying.

We don't have any elections scheduled in Brighton and Hove until the point at which the government is saying the elections to the new Unitary Authorities would happen in May 2027. There's a quite nice join-up there. I don't think we have any issues in terms of Brighton and Hove therefore in terms of needing to ask to postpone elections. That is a matter for East Sussex County Council and West Sussex County Council. My understanding is that their intention is to ask for Local Government reform to be part of the Priority Programme as well. That is not a request that we are proposing and that we are determining for Brighton and Hove today. That will ultimately be a decision for the government.

The government has clearly taken a view that, in some cases, they may need to postpone elections in order to deliver the Devolution programme, but they will make that decision, as I understand it, in individual cases. As I say, that is not a question for Brighton and Hove and we're not advocating that any elections are postponed.

(21) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

Absolutely no decisions or detail or any information on that at present and, as I said, today is discussing the Devolution Priority Programme. Local Government Reorganisation is a separate subject.

As soon as we can, and as soon as that letter is received from government this month inviting proposals, we will obviously communicate that out and ensure that we have proper debate and discussion and are working very transparently on that set of proposals as well.

(22) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

The proposal for the Devolution Priority Programme will be that a strategic Mayoral Authority will be established in May 2026. That's a new institution that would be set-up and then ready to go.

The issue around shadow unitaries is in relation to the Local Government reform proposal and the question of whether Brighton and Hove becomes a new Unitary Authority. My understanding is that any new Unitary Authorities would go live either April 2027 or April 2028.

In the context of Local Government Reorganisation, a shadow authority is established to oversee the transition to a new Unitary Authority. This body is typically composed of existing councillors from the councils that are being reorganised. The shadow authority is responsible for preparing the new unitary authority to become fully operational. This includes setting budgets, appointing senior staff, and making key policy decisions. A shadow authority operates until the new unitary authority formally takes over. There would not be 2 Mayors and 2 Council Leaders. The shadow unitary authority would be made up of existing councillors and the new councillors would be elected to the new authority when those elections are held.

Once we have any more information on how that process is set to work, we will share it.

(23) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

The focus of this Cabinet meeting is to consider whether Brighton & Hove should join the Devolution Priority Programme, which is separate to Local Government Reorganisation proposals.

We will be seeking information from government in relation to financial settlements as part of our discussions once we receive the letters around Local Government Reorganisation, and of course we will start as early as possible exploring what the implications are and ensuring that we get the best deal for our residents.

(24) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

We're not, as Brighton and Hove City Council, responsible for determining what powers different bodies have, that's a job for government and they will be legislating on this and

they have published a White Paper that sets out the different powers that different bodies should get.

What we are responsible for is ensuring that our residents get the best possible deal. I found it really striking in this role, from when I first became leader in May 2023, but particularly in the last 6 months because our new government is being so active in launching new initiatives, new schemes, and new programmes, for different parts of the country. So much of that is currently being directed towards those places that have Mayoral Combined Authorities because they're able to receive funding, receive strategic investment and initiatives so much more easily to deliver something at scale for a significant number of people.

I think it would be really remiss of me, as a leader of this authority, and of this Cabinet to not be seeking to get the very best outcome and deal for residents in this city. I don't want to see us get left behind when the government is being so clear in this White Paper about their vision, which they're talking about being a floor and not a ceiling. The vision for de-centralisation and regional governance extends even beyond what's contained in this White Paper. It would be really remiss of us not to try and maximise the partnership that we could have with government on this.

(25) Councillor Hill- Devolution White Paper

Response from Councillor Sankey:

I'm very happy to confirm for the record that I prefer the Supplementary vote election system over the First Past the Post system for any future Sussex Mayoral Election. The reason being that I think when you're electing a representative that covers such a large geographic area; an area that is of course very diverse with lots of different types of communities (urban, rural) with such diversity of political thought, opinion, and experience, you want to try and arrive at a conclusion that has the most support as possible for that large number of people that is taking part in that election. I think it is legitimate to say, as far as possible, we're giving people a different option and to try and get either their first or their second preference option will be the optimum way to try and deliver an outcome that people will feel pleased with once the count has been concluded.

(26) Councillor Shanks- Devolution White Paper

Response from Councillor Sankey:

We have been in touch with Unions about the letter that we were sent by Jim McMahon, the Local Government Minister, inviting expressions of interest. Of course, we are in regular communications with unions and staff about everything that we're doing, including this.

Today we are discussing the Devolution Priority Programme. That wouldn't have any direct bearing on staffing issues or anything like that, that's about setting up a new Authority which we would be a part of.

It's completely separate to the other issue in the White Paper which is Local Government Reorganisation. That's what we're going to receive a letter on from government this month and of course, on anything that is impacting on staff, we will be doing absolutely everything you would expect in terms of engaging with unions, engaging with staff, and engaging with our forums, making sure that staff are fully

apprised of what's being proposed and involved in the decision making that we will need to do collectively around what is going to suit us best and work best for our residents and for our staff.

(27) Councillor Shanks- Devolution White Paper

Response from Councillor Sankey:

I absolutely agree that the gap between funding and demand for our services is one of the biggest challenges facing local government.

I'm delighted that in the budget last autumn we received a significant uplift to our core spending power: an example of our new Labour government putting public services and the interests and needs of our residents first, and long may that trajectory continue. However, that doesn't take away from the fact that we have been chronically underfunded for a very long time and there are therefore huge issues in terms of Local Government capacity that we're facing here in Brighton and Hove and by the vast majority of councils.

What's in the White Paper can potentially help in different ways. I think the Devolution piece and the idea that you would build capacity at a regional level to take powers and investment from government and do better for our region, whether it's looking at our integrated transport network and how long it currently takes to get from East to West on the train line across Sussex, that there are lots of things that a Devolved Authority could do that would help unlock some of the burdens that currently rest on us here in this Unitary Authority, but equally our neighbours in districts, boroughs, and county authorities.

I think there's a role for regional government to lift that burden a bit and take some of the pressures off us, including by doing the strategic work, helping with some of the preventative work, so that we're not mopping up the consequences of there not being a proper government structure in place that eases those burdens.

The other opportunity for efficiencies and to take some of the pressures off us will be in the Local Government Reorganisation piece, and that is very explicit in the White Paper that government sees that as being an opportunity to help reduce some of the inefficiencies that currently exist. I would imagine that the majority of those inefficiencies might be within the 2-tier structure because you currently have, in those places, 2 whole structures of Local Government working for the same area delivering different services. To my mind, that would seem to be less efficient than what we have already here in this unitary, but I think government is also thinking about those slightly larger footprints for unitaries than what we have here as a way to deliver savings. I think that will be explored and that is obviously something that we need to give thought to here in working out what is going to work best for our residents and how we strike that really important balance.

122 REPRESENTATIONS FROM OPPOSITION MEMBERS

122.1 Cabinet received a representation from Councillor West on Item 123, Devolution White Paper Update.

122.2 Cabinet received a representation from Councillor Hill on Item 123, Devolution White Paper Update.

123 DEVOLUTION WHITE PAPER UPDATE

123.1 Cabinet considered a report that requested approval to confirm to Government an expression of interest to take part in the Devolution Priority Programme, alongside East Sussex County Council and West Sussex County Council, seeking a Mayoral Combined Authority on a Sussex footprint and local government reorganisation for Sussex in line with the criteria set out in the Government White Paper.

123.2 Councillors Taylor, Williams, Burden, Pumm, Muten, Robins, Rowkins, Sankey, Miller, Daniel and Alexander asked questions and contributed to the debate of the report.

123.3 Resolved-

- 1) Cabinet agrees to submit to Government their request to take part in the Devolution Priority Programme, by the 10 January 2025, alongside East Sussex County Council and West Sussex County Council, seeking a Mayoral Combined Authority on a Sussex footprint and local government reorganisation for Sussex in line with the criteria set out in the Government White Paper.
- 2) Cabinet notes that further reports will come to Cabinet and Scrutiny through the period of the Priority Programme to ensure full engagement and consideration of options and impacts on the form of the Mayoral Combined Authority and Local Government Reform.

The meeting concluded at 1.40pm

Brighton & Hove City Council

Cabinet

Agenda Item 128(b)

Subject: Public Questions

Date of meeting: 23 January 2025

A period of not more than thirty minutes shall be allowed at each ordinary meeting for questions submitted by a member of the public.

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

(7) Trans Toolkit Version 5 – to be asked on behalf of a Brighton & Hove resident by Councillor Goldsmith

Having been through a rigorous consultation process, and having accepted the importance of the trans inclusion toolkit as vital guidance for schools and to support inclusion for all our CYP, what are the Council's plans to ensure schools are informed about and trained in utilising this guidance for the benefit of all their pupils?

Brighton & Hove City Council

Cabinet

Agenda Item 129(a)

Subject: Member Questions

Date of meeting: 23 January 2025

A maximum period of fifteen minutes in total shall be made available at each meeting of the Executive for questions from Members of the Council. The questions included on the list of questions referred to above shall be taken as read at the Cabinet meeting. The question will be answered either orally or at the discretion of the Chair by a written answer circulated after the meeting. Officers may assist the Leader or a Cabinet Member with technical answers to questions. No supplementary questions shall be permitted.

The following written questions have been received from Members:

(31) Councillor McNair- Brighton i360- Decision on Future

The council plans to set up an external independent investigation (para 2.3). How will its independence be guaranteed if supervised by Cabinet?

(32) Councillor Meadows- Brighton i360- Decision on Future

Will ex-councillors and officers from 2006 onwards be obliged to participate?

(33) Councillor McNair- Brighton i360- Decision on Future

While the bid is of a commercially sensitive nature, and the council's hands seem to be tied with regard to consultation and righting off of the debt if the council is to find a buyer. Should the buyer be alerted to interest payments due to the council tax payers.

(34) Councillor Meadows- Brighton i360- Decision on Future

What does writing off of the debt actually mean for council tax payers and council services?

(35) Councillor McNair- Brighton i360- Decision on Future

What share of revenue or percentage is the council expected to receive and from when?

(36) Councillor Meadows- Brighton i360- Decision on Future

While this might be regarded as sensitive, surely residents of Brighton & Hove deserve to be kept fully informed of this sale and what it will mean for their council tax payments. Or is the Administration putting the council in more debt?

(37) Councillor McNair- Brighton i360- Decision on Future

Given the debt repayments of £2.2m per year until 2041, what services can residents expect to be cut?

(38) Councillor Meadows- Brighton i360- Decision on Future

If there is any revenue what services will that share of revenue be directed towards?

(39) Councillor Sykes- Brighton i360- Decision on Future

Will there be published Terms of Reference to steer the proposed investigation into the i360 loan decision?

(40) Councillor Sykes- Brighton i360- Decision on Future

The paper refers to (s4.4) options assessments undertaken about the future of the i360. Was the overall economic preferred option assessed different to that being proposed in the paper?

(41) Councillor Goldsmith- Brighton i360- Decision on Future

What has the Council been doing so far to communicate with local businesses around the i360 – many of whom recognise the impact the attraction has on their footfall – and what will it be doing to communicate throughout the process of a new buyer being found and put into place?