Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL MEETING

Date: **15 July 2021**

Time: **4.30pm**

Venue **Council Chamber, Hove Town Hall**

Members: **Councillors:** Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, Janio, John, Knight, Lewry, Littman, Lloyd, Meadows, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates

Contact: **Mark Wall**
Head of Democratic Services
01273 291006
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AGENDA

PART ONE **Page**

15 DECLARATIONS OF INTEREST

(a) Disclosable pecuniary interests;
(b) Any other interests required to be registered under the local code;
(c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare
(i) the item on the agenda the interest relates to;
(ii) the nature of the interest; and
(iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the Monitoring Officer or Democratic Services Officer preferably before the meeting.

16 MINUTES 9 - 88

To approve as a correct record the minutes of:

(a) the Budget Council meeting held on the 25 February 2021,

(b) the Ordinary Council meeting held on the 25 March 2021 and

(c) the Annual Council meeting held on the 20 May 2021 (to follow).

Contact Officer: *Mark Wall* *Tel: 01273 291006*
Ward Affected: *All Wards*

17 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

18 TO RECEIVE PETITIONS AND E-PETITIONS.

To receive any petitions to be presented to the Mayor by members of the public and/or Members as notified by the due date of 1 July 2021 (10 working days):

(1) Whitehawk Speed Bumps – Lead petitioner Julie Mack
(2) Portland Road Crossing – Lead petitioner Christopher Hawtree
(3) Residential Parking Tarmac Verge – Lead petitioner Toni Ball
(4) 20mph Speed Limit on Portland Road – Lead petitioner Councillor Nemeth
(5) Free School Travel for Children in Whitehawk, Bristol Estate and Manor Farm – Lead petitioner Carlie Goldsmith

(6) Stop the Council Closing Stapley Road – Lead petitioner Councillor Barnett
(7) Ask Our Council to Create a Safe Access to Bexhill Road Play Area – Lead petitioner Tom Wright.

19 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of 12noon on the 9 July 2021 will be circulated separately as part of an addendum at the meeting.

20 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of 12noon on the 9 July 2021 will be circulated separately as part of an addendum at the meeting.

21 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Call over (items 24 to 30) will be read out at the meeting and Members invited to reserve the items for consideration.

(b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.

(c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

22 WRITTEN QUESTIONS FROM COUNCILLORS. 89 - 100

A list of the written questions submitted by Members has been included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.

Contact Officer: Mark Wall Tel: 01273 291006

6.30 - 7.00PM REFRESHMENT BREAK

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

23 ORAL QUESTIONS FROM COUNCILLORS 101 - 104

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.

Contact Officer: Mark Wall Tel: 01273 291006

REPORTS FOR DECISION

24 IRP REPORT ON MEMBERS ALLOWANCES **105 - 122**

Extract from the proceedings of the Policy & Resources Committee meeting held on the 1st July 2021, together with a report of the Executive Lead Officer for Strategy, Governance & Law and a report of the Independent Remuneration Panel.

Contact Officer: Elizabeth Culbert Tel: 01273 291515
Ward Affected: All Wards

25 REVIEW OF THE COUNCIL'S CONSTITUTION **123 - 160**

Extract from the proceedings of the Policy & Resources Committee meeting held on the 13 May 2021; together with a report of the Executive Lead Officer for Strategy, Governance & Law.

Contact Officer: Mark Wall Tel: 01273 291006
Ward Affected: All Wards

26 REVIEW OF THE CODE OF CONDUCT FOR MEMBERS **161 - 208**

Extract from the proceedings of the Audit & Standards Committee meeting held on the 29th June 2021, together with a report of the Executive Lead Officer for Strategy, Governance & Law.

Contact Officer: Victoria Simpson Tel: 01273 294687
Ward Affected: All Wards

27 COUNCIL AND COMMITTEE MEETINGS FROM 1ST AUGUST 2021 **209 - 212**

Report of the Executive Lead Officer for Strategy, Governance & Law.

Contact Officer: Abraham Ghebre-Ghiorghis Tel: 01273 291500
Ward Affected: All Wards

28 LOCAL GOVERNMENT BOUNDARY REVIEW

Report of the Executive Lead Officer for Strategy, Governance & Law (to follow).

Contact Officer: Abraham Ghebre-Ghiorghis Tel: 01273 291500
Ward Affected: All Wards

REPORTS REFERRED FOR INFORMATION

29 THE NATIONAL BUS STRATEGY **213 - 222**

Extract from the proceedings of the Environment, Transport & Sustainability Committee meeting held on the 22 June 2021, together with

a report of the Executive Director for Economy, Environment & Culture.

Contact Officer: *Owen McElroy* *Tel: 01273 290368*
Ward Affected: *All Wards*

30 TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUTTURN 2020/21 **223 - 322**

Extract from the proceedings of the Policy & Resources Committee meeting held on the 1 July 2021, together with a report of the Acting Chief Finance Officer.
Ward Affected: *All Wards*

NOTICES OF MOTION

The following Notices of Motion have been submitted by Members for consideration:

31 CITYWIDE ROLL OUT OF REAL-TIME AIR QUALITY MONITORING SYSTEM **323 - 324**

Proposed by Councillor Fishleigh as an Independent Councillor.

32 LOCAL GOVERNMENT AND SCHOOLS PAY **325 - 326**

Proposed by Councillor Mac Cafferty on behalf of the Green Group.

33 SUPPORTING UNACCOMPANIED ASYLUM-SEEKING CHILDREN **327 - 328**

Proposed by Councillor Clare on behalf of the Green Group.

34 THE QUEEN'S PLATINUM JUBILEE **329 - 330**

Proposed by Councillor Nemeth on behalf of the Conservative Group.

35 URGENT REVIEW OF ALLOTMENTS **331 - 332**

Proposed by Councillor Nemeth on behalf of the Conservative Group.

36 CROSS CHANNEL LINK **333 - 334**

Proposed by Councillor Childs on behalf of the Labour Group.

37 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

1. *The Mayor will put the motion to the vote and if it is carried will then:-*

   (a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*

   (b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

   The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.

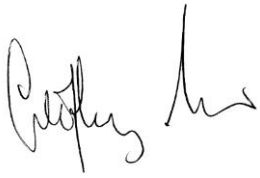
   (c) *Following completion of the outstanding items, the Mayor will then close the meeting.*

2. *If the motion moved by the Mayor is* ***not carried*** *the meeting will continue in the normal way, with each item being moved and debated and voted on.*

3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

   Once all the remaining items have been dealt with the Mayor will close the meeting.

Note: In response to the current Covid-19 pandemic this meeting is being held with a reduced membership being present in the council chamber.
Those attending in person are expected to adhere to current guidelines and to wear a mask throughout the time that they are in attendance and to have taken a lateral flow test prior to coming to the Town Hall.
The meeting will also be webcast live to the internet and a link will be available on the Council meeting page in due course but a general link to list of upcoming meetings is below:
Upcoming meetings



Chief Executive
Hove Town Hall
Norton Road, Hove, BN3 3BQ

Date of Publication - Wednesday, 7 July 2021

PUBLIC INVOLVEMENT
The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

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Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

ACCESS NOTICE
The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. There is an accessible lift to the first floor and ramped access to the public gallery. However, the lift cannot be used as part of a manged evacuation and therefore anyone unable to use the stairs or transfer to an evac chair should not use the public gallery but seek assistance from reception.

We have made a number of adjustments to make the venue as accessible as possible and the seated spaces available in the public gallery can be used by disabled people who are not wheelchair users.

Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066 or Email: democratic.services@brighton-hove.gov.uk) in advance of the meeting to discuss your access requirements. We can then work with you to enable your attendance and also to ensure your safe evacuation from the building in the event of an emergency.

If the public gallery is full, Room G87 on the ground floor can be used as an inclusive space with video conferencing facilities and AV links to the council chamber, level access, and nearby WC facilities, including wheelchair accessible provision. From this room you can watch the meeting and take part in proceedings, for example if you have submitted a public question.

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If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

FURTHER INFORMATION

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 25 FEBRUARY 2021

VIRTUAL

MINUTES

Present: Councillors Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates

PART ONE

109 DECLARATIONS OF INTEREST

109.1 Councillor Druitt declared a personal and prejudicial interest as he was the Director of Protran Services, General Manager of Brighton & Hove Community Transport and Director of the Big Lemon. He confirmed that he had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.2 Councillor Hugh-Jones declared a personal and prejudicial interest in the items listed as she held various shareholdings as listed in her register of interests. She confirmed that she had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.3 Councillor Phillips declared a personal and prejudicial interest as she was married to Councillor Druitt and therefore benefitted from the interests he had declared. She confirmed that she had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.4 Councillor Powell declared a personal and prejudicial interest declared a personal interest as she was employed by Sussex Police and her partner had been involved in consultation work with RISE. She confirmed that she had been granted dispensation to speak and vote on the item by the Monitoring Officer.

109.5 Councillor Shanks declared a personal and prejudicial interest as she was a Trustee of Brighton Youth Centre which would benefit from capital funding. She confirmed that

she had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.6 Councillor Atkinson declared a personal and prejudicial interest as he and his wife both worked for the Sussex Partnership NHS Trust and the council had a number of jointly funded services with the Trust. He confirmed that he had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.7 Councillor Childs declared a personal and prejudicial interest as he was a NEU Senior Regional Officer and confirmed that she had been granted dispensation to speak and vote on the item by the Monitoring Officer.

109.8 Councillor Fowler declared a personal and prejudicial interest as her partner was employed at City Clean. She confirmed that she had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.9 Councillor Platts declared a personal and prejudicial interest as she was an Event Director for East Brighton Parkrun, was a member of the Local Government Association and a Director of Brighton Community Workshop Project CIC. She confirmed that she had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.10 Councillor Williams declared a personal and prejudicial interest as she held a role with the Community Land Trust. She confirmed that she had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.11 Councillor Nemeth declared a personal and prejudicial interest as he was involved with the Beach Hut Association and Chair of Hove Lagoon Association. He confirmed that he had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.12 Councillor Peltzer Dunn declared a personal and prejudicial interest as he owned a beach hut. He confirmed that he had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.13 Councillor Pissaridou declared a personal and non-prejudicial interest as she held a parking permit. She confirmed that she had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.14 Councillor West declared a personal and non-prejudicial interest as he was a Trustee of the Brighton Racecourse, and a member of the Brighton & Hove Estate Conservation Trust and East Sussex Fire Authority. He confirmed that he had been granted dispensation to speak and vote on the item by the Monitoring Officer;

109.15 No other declarations of interests in matters appearing on the agenda were made.

110 MAYOR'S COMMUNICATIONS.

110.1 The Mayor stated that he did not have any communications for today's meeting but hoped that the meeting would go well and everyone would be respectful during the debate.

111 ADOPTION OF SPECIAL PROCEDURES FOR BUDGET COUNCIL

111.1 The Mayor referred to the proposed special budget procedure rules that had been circulated as part of the agenda and were detailed in the addendum, pages 5 – 10 and proposed that the Council procedure rules be suspended to the extent necessary to enable the meeting to be conducted under the rules as modified by the procedural note as circulated.

111.2 The Mayor called on the Group Leaders to confirm their agreement for the suspension of Standing Orders as outlined and noted that they and Members agreed.

111.3 **RESOLVED:** That the special procedural rules as circulated be adopted for the meeting and that the Council Standing Orders be suspended to the extent that it enabled the meeting to be conducted under the rules agreed.

112 GENERAL FUND REVENUE BUDGET, CAPITAL AND TREASURY MANAGEMENT STRATEGY 2021/22

112.1 The Mayor noted that the principal budget items listed as Items 112 and 114 on the agenda would be debated together, long with Item 113 Supplementary Financial Information, once the proposed budget and various amendments had been moved and seconded. He therefore invited Councillor Druitt to propose the budget for 2021//22.

112.2 Councillor Druitt thanked the Mayor and formally moved the budget proposals on behalf of the Administration, together with the one Green Group amendment. Councillor Mac Cafferty formally seconded the budget proposals and the Green Group amendment.

112.3 Councillor Yates formally moved the Labour Group's amendments No's 1 – 3, which were formally seconded by Councillor Platts.

112.4 Councillor Miller formally moved the Conservative Group's amendments No's 1 – 6, which were formally seconded by Councillor Bell.

112.5 The Mayor then opened the matter up to a general debate and the following Members of the Council spoke on the various amendments that had been put forward as well as the general prevailing budget proposals and budget position.

Councillors Powell, Allcock, Simson, Fishleigh, Deane, Williams, Peltzer Dunn, Janio, Heley, Hamilton, Barnett and Osborne.

112.6 The Mayor noted that the meeting had been in session for just over two hours and declared that he would adjourn for a refreshment break from 6.36 to 6.55pm.

112.7 The Mayor reconvened the meeting at 6.55pm and continued with the debate, during which the following Members spoke on various amendments that had been put forward as well as the general prevailing budget proposals and position.

Councillors Atkinson, McNair, Hugh-Jones, Wilkinson, Brown, Shanks, Evans, Bagaeen, Davis, Hills, Appich, Theobald, Lewry, Ebel, O'Quinn, Mears, Lloyd, Childs, Nemeth, Littman, Hill, Clare, Fowler, Moonan and Platts.

112.8 The Mayor noted that all Members wising to speak during the debate had done so and called on Councillor Gibson to respond to the debate and the amendments on behalf of the Administration.

112.9 Councillor Gibson thanked the Mayor and stated that it had been a good and useful debate overall. He felt that although a number of the amendments could not be accepted, there were a lot of good suggestions that could be taken into consideration and possibly incorporated into future decisions. He therefore hoped that the budget proposals together with the amendments that could be accepted would be approved and recommended it to Council.

112.10 The Mayor stated that in view of the fact that the amendments related to either the General Fund or the Housing revenue Account, he intended to put each one to the vote. However, he would call on the Acting Chief Finance Officer to confirm the budgetary position should any amendment be carried and have an impact on the overall budget as necessary. He would then put the substantive recommendations to the vote as outlined in the procedural rules and also noted that the outcome of the voting would be recorded in full.

112.11 The Mayor then put the Conservative Group amendment No.1 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Conservative Group Amendment No.1

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**		X			**Lewry**	√		
2	**Appich**		X		29	**Littman**		X	
3	**Atkinson**		X		30	**Lloyd**		X	
4	**Bagaeen**	√			31	**Mac Cafferty**		X	
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**		X	
9	**Childs**		X		36	**Nemeth**	√		

10	**Clare**		X		37	**Nield**		X	
11	**Davis**		X		38	**O'Quinn**		X	
12	**Deane**		X		39	**Osborne**		X	
13	**Druitt**		X		40	**Peltzer Dunn**	√		
14	**Ebel**		X		41	**Phillips**		X	
15	**Evans**		X		42	**Pissaridou**		X	
16	**Fishleigh**	√			43	**Platts**		X	
17	**Fowler**		X		44	**Powell**		X	
18	**Gibson**		X		45	**Rainey**		X	
19	**Grimshaw**		X		46	**Robins**		X	
20	**Hamilton**		X		47	**Shanks**		X	
21	**Heley**		X		48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**		X		50	**Wares**	Not present		
24	**Hills**		X		51	**Wilkinson**		X	
25	**Hugh-Jones**		X		52	**Williams**		X	
26	**Janio**			Ab	53	**West**		X	
27	**Knight**		X		54	**Yates**		X	
						Total	**13**	**37**	**1**

112.12 The Mayor confirmed that the amendment had been lost by 13 votes to 37 with 1 abstention.

112.13 The Mayor then put the Conservative Group amendment No.2 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Conservative Group Amendment No.2

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**		X			**Lewry**	√		
2	**Appich**		X		29	**Littman**		X	
3	**Atkinson**		X		30	**Lloyd**		X	
4	**Bagaeen**	√			31	**Mac Cafferty**		X	

5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**		X	
9	**Childs**		X		36	**Nemeth**	√		
10	**Clare**		X		37	**Nield**		X	
11	**Davis**		X		38	**O'Quinn**		X	
12	**Deane**		X		39	**Osborne**		X	
13	**Druitt**		X		40	**Peltzer Dunn**	√		
14	**Ebel**		X		41	**Phillips**		X	
15	**Evans**		X		42	**Pissaridou**		X	
16	**Fishleigh**	√			43	**Platts**		X	
17	**Fowler**		X		44	**Powell**		X	
18	**Gibson**		X		45	**Rainey**		X	
19	**Grimshaw**		X		46	**Robins**		X	
20	**Hamilton**		X		47	**Shanks**		X	
21	**Heley**		X		48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**		X		50	**Wares**	Not present		
24	**Hills**		X		51	**Wilkinson**		X	
25	**Hugh-Jones**		X		52	**Williams**		X	
26	**Janio**	√			53	**West**		X	
27	**Knight**		X		54	**Yates**		X	
						Total	**14**	**37**	

112.14 The Mayor confirmed that the amendment had been lost by 14 votes to 37.

112.15 The Mayor then put the Conservative Group amendment No.3 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Conservative Group Amendment No.3

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**		X			**Lewry**	√		
2	**Appich**		X		29	**Littman**		X	
3	**Atkinson**		X		30	**Lloyd**		X	
4	**Bagaeen**	√			31	**Mac Cafferty**		X	
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**		X	
9	**Childs**		X		36	**Nemeth**	√		
10	**Clare**		X		37	**Nield**		X	
11	**Davis**		X		38	**O'Quinn**		X	
12	**Deane**		X		39	**Osborne**		X	
13	**Druitt**		X		40	**Peltzer Dunn**	√		
14	**Ebel**		X		41	**Phillips**		X	
15	**Evans**		X		42	**Pissaridou**		X	
16	**Fishleigh**		X		43	**Platts**		X	
17	**Fowler**		X		44	**Powell**		X	
18	**Gibson**		X		45	**Rainey**		X	
19	**Grimshaw**		X		46	**Robins**		X	
20	**Hamilton**		X		47	**Shanks**		X	
21	**Heley**		X		48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**		X		50	**Wares**	Not present		
24	**Hills**		X		51	**Wilkinson**		X	
25	**Hugh-Jones**		X		52	**Williams**		X	
26	**Janio**	√			53	**West**		X	
27	**Knight**		X		54	**Yates**		X	
						Total	**13**	**38**	

112.16 The Mayor confirmed that the amendment had been lost by 13 votes to 38.

112.17 The Mayor then put the Conservative Group amendment No.4 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Conservative Group Amendment No.4

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**		X			**Lewry**	√		
2	**Appich**		X		29	**Littman**		X	
3	**Atkinson**		X		30	**Lloyd**		X	
4	**Bagaeen**	√			31	**Mac Cafferty**		X	
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**		X	
9	**Childs**		X		36	**Nemeth**	√		
10	**Clare**		X		37	**Nield**		X	
11	**Davis**		X		38	**O'Quinn**		X	
12	**Deane**		X		39	**Osborne**		X	
13	**Druitt**		X		40	**Peltzer Dunn**	√		
14	**Ebel**		X		41	**Phillips**		X	
15	**Evans**		X		42	**Pissaridou**		X	
16	**Fishleigh**	√			43	**Platts**		X	
17	**Fowler**		X		44	**Powell**		X	
18	**Gibson**		X		45	**Rainey**		X	
19	**Grimshaw**		X		46	**Robins**		X	
20	**Hamilton**		X		47	**Shanks**		X	
21	**Heley**		X		48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**		X		50	**Wares**	Not present		
24	**Hills**		X		51	**Wilkinson**		X	
25	**Hugh-Jones**		X		52	**Williams**		X	

26	**Janio**	√			53	**West**		X	
27	**Knight**		X		54	**Yates**		X	
						Total	**14**	**37**	

112.18 The Mayor confirmed that the amendment had been lost by 14 votes to 37.

112.19 The Mayor then put the Conservative Group amendment No.5 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Conservative Group Amendment No.5

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**		X			**Lewry**	√		
2	**Appich**		X		29	**Littman**		X	
3	**Atkinson**		X		30	**Lloyd**		X	
4	**Bagaeen**	√			31	**Mac Cafferty**		X	
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**		X	
9	**Childs**		X		36	**Nemeth**	√		
10	**Clare**		X		37	**Nield**		X	
11	**Davis**		X		38	**O'Quinn**		X	
12	**Deane**		X		39	**Osborne**		X	
13	**Druitt**		X		40	**Peltzer Dunn**	√		
14	**Ebel**		X		41	**Phillips**		X	
15	**Evans**		X		42	**Pissaridou**		X	
16	**Fishleigh**		X		43	**Platts**		X	
17	**Fowler**		X		44	**Powell**		X	
18	**Gibson**		X		45	**Rainey**		X	
19	**Grimshaw**		X		46	**Robins**		X	
20	**Hamilton**		X		47	**Shanks**		X	

21	**Heley**		X		48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**		X		50	**Wares**	Not present		
24	**Hills**		X		51	**Wilkinson**		X	
25	**Hugh-Jones**		X		52	**Williams**		X	
26	**Janio**			Ab	53	**West**		X	
27	**Knight**		X		54	**Yates**		X	
						Total	**12**	**38**	**1**

112.20 The Mayor confirmed that the amendment had been lost by 12 votes to 38 with 1 abstention.

112.21 The Mayor then put the Conservative Group amendment No.6 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Conservative Group Amendment No.6

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**		X			**Lewry**	√		
2	**Appich**		X		29	**Littman**		X	
3	**Atkinson**		X		30	**Lloyd**		X	
4	**Bagaeen**	√			31	**Mac Cafferty**		X	
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**		X	
9	**Childs**		X		36	**Nemeth**	√		
10	**Clare**		X		37	**Nield**		X	
11	**Davis**		X		38	**O'Quinn**		X	
12	**Deane**		X		39	**Osborne**		X	
13	**Druitt**		X		40	**Peltzer Dunn**	√		
14	**Ebel**		X		41	**Phillips**		X	
15	**Evans**		X		42	**Pissaridou**		X	

16	**Fishleigh**		X		43	**Platts**		X	
17	**Fowler**		X		44	**Powell**		X	
18	**Gibson**		X		45	**Rainey**		X	
19	**Grimshaw**		X		46	**Robins**		X	
20	**Hamilton**		X		47	**Shanks**		X	
21	**Heley**		X		48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**		X		50	**Wares**	Not present		
24	**Hills**		X		51	**Wilkinson**		X	
25	**Hugh-Jones**		X		52	**Williams**		X	
26	**Janio**	√			53	**West**		X	
27	**Knight**		X		54	**Yates**		X	
						Total	**13**	**38**	

112.22 The Mayor confirmed that the amendment had been lost by 13 votes to 38.

112.23 The Mayor then put the Labour Group amendment No.1 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Labour Group Amendment No.1

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**	√			28	**Lewry**		X	
2	**Appich**	√			29	**Littman**	√		
3	**Atkinson**	√			30	**Lloyd**	√		
4	**Bagaeen**		X		31	**Mac Cafferty**	√		
5	**Barnett**		X		32	**McNair**		X	
6	**Bell**		X		33	**Mears**		X	
7	**Brennan**	Not present			34	**Miller**		X	
8	**Brown**		X		35	**Moonan**	√		
9	**Childs**	√			36	**Nemeth**		X	
10	**Clare**	√			37	**Nield**	√		

11	**Davis**	√			38	**O'Quinn**	√		
12	**Deane**	√			39	**Osborne**	√		
13	**Druitt**	√			40	**Peltzer Dunn**		X	
14	**Ebel**	√			41	**Phillips**	√		
15	**Evans**	√			42	**Pissaridou**	√		
16	**Fishleigh**	√			43	**Platts**	√		
17	**Fowler**	√			44	**Powell**	√		
18	**Gibson**	√			45	**Rainey**	√		
19	**Grimshaw**	√			46	**Robins**	√		
20	**Hamilton**	√			47	**Shanks**	√		
21	**Heley**	√			48	**Simson**		X	
22	**Henry**	Not present			49	**Theobald C**		X	
23	**Hill**	√			50	**Wares**	Not present		
24	**Hills**	√			51	**Wilkinson**	√		
25	**Hugh-Jones**	√			52	**Williams**	√		
26	**Janio**			Ab	53	**West**	√		
27	**Knight**	√			54	**Yates**	√		
						Total	**38**	**12**	**1**

112.24 The Mayor confirmed that the amendment had been carried by 38 votes to 12 with 1 abstention.

112.25 The Mayor then put the Labour Group amendment No.2 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Labour Group Amendment No.2

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**	√			28	**Lewry**		X	
2	**Appich**	√			29	**Littman**		X	
3	**Atkinson**	√			30	**Lloyd**		X	
4	**Bagaeen**		X		31	**Mac Cafferty**		X	
5	**Barnett**		X		32	**McNair**		X	

6	**Bell**		X		33	**Mears**		X	
7	**Brennan**	Not present			34	**Miller**		X	
8	**Brown**		X		35	**Moonan**	√		
9	**Childs**	√			36	**Nemeth**		X	
10	**Clare**		X		37	**Nield**		X	
11	**Davis**		X		38	**O'Quinn**	√		
12	**Deane**		X		39	**Osborne**		X	
13	**Druitt**		X		40	**Peltzer Dunn**		X	
14	**Ebel**		X		41	**Phillips**		X	
15	**Evans**	√			42	**Pissaridou**	√		
16	**Fishleigh**			Ab	43	**Platts**	√		
17	**Fowler**	√			44	**Powell**		X	
18	**Gibson**		X		45	**Rainey**		X	
19	**Grimshaw**	√			46	**Robins**	√		
20	**Hamilton**	√			47	**Shanks**		X	
21	**Heley**		X		48	**Simson**		X	
22	**Henry**	Not present			49	**Theobald C**		X	
23	**Hill**	√			50	**Wares**	Not present		
24	**Hills**		X		51	**Wilkinson**	√		
25	**Hugh-Jones**		X		52	**Williams**	√		
26	**Janio**		X		53	**West**		X	
27	**Knight**	√			54	**Yates**	√		
						Total	**18**	**32**	**1**

112.26 The Mayor confirmed that the amendment had been lost by 18 votes to 32 with 1 abstention.

112.27 The Mayor then put the Labour Group amendment No.3 to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Labour Group Amendment No.3

		For	Against	Abstain			For	Against	Abstain

1	**Allcock**	√			28	**Lewry**		X	
2	**Appich**	√			29	**Littman**		X	
3	**Atkinson**	√			30	**Lloyd**		X	
4	**Bagaeen**		X		31	**Mac Cafferty**		X	
5	**Barnett**		X		32	**McNair**		X	
6	**Bell**		X		33	**Mears**		X	
7	**Brennan**	Not present			34	**Miller**		X	
8	**Brown**		X		35	**Moonan**	√		
9	**Childs**	√			36	**Nemeth**		X	
10	**Clare**		X		37	**Nield**		X	
11	**Davis**		X		38	**O'Quinn**	√		
12	**Deane**		X		39	**Osborne**		X	
13	**Druitt**		X		40	**Peltzer Dunn**		X	
14	**Ebel**		X		41	**Phillips**		X	
15	**Evans**	√			42	**Pissaridou**	√		
16	**Fishleigh**	√			43	**Platts**	√		
17	**Fowler**	√			44	**Powell**		X	
18	**Gibson**		X		45	**Rainey**		X	
19	**Grimshaw**	√			46	**Robins**	√		
20	**Hamilton**	√			47	**Shanks**		X	
21	**Heley**		X		48	**Simson**		X	
22	**Henry**	Not present			49	**Theobald C**		X	
23	**Hill**	√			50	**Wares**	Not present		
24	**Hills**		X		51	**Wilkinson**	√		
25	**Hugh-Jones**		X		52	**Williams**	√		
26	**Janio**		X		53	**West**		X	
27	**Knight**	√			54	**Yates**	√		
						Total	**19**	**32**	

112.28 The Mayor confirmed that the amendment had been lost by 19 votes to 32.

112.29 The Mayor then put the Green Group amendment to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members.

Green Group Amendment

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**			Ab	28	**Lewry**	√		
2	**Appich**			Ab	29	**Littman**	√		
3	**Atkinson**			Ab	30	**Lloyd**	√		
4	**Bagaeen**	√			31	**Mac Cafferty**	√		
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**			Ab
9	**Childs**			Ab	36	**Nemeth**	√		
10	**Clare**	√			37	**Nield**	√		
11	**Davis**	√			38	**O'Quinn**			Ab
12	**Deane**	√			39	**Osborne**	√		
13	**Druitt**	√			40	**Peltzer Dunn**	√		
14	**Ebel**	√			41	**Phillips**	√		
15	**Evans**			Ab	42	**Pissaridou**			Ab
16	**Fishleigh**	√			43	**Platts**			Ab
17	**Fowler**			Ab	44	**Powell**	√		
18	**Gibson**	√			45	**Rainey**	√		
19	**Grimshaw**			Ab	46	**Robins**			Ab
20	**Hamilton**			Ab	47	**Shanks**	√		
21	**Heley**	√			48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**			Ab	50	**Wares**	Not present		
24	**Hills**	√			51	**Wilkinson**			Ab
25	**Hugh-Jones**	√			52	**Williams**			Ab
26	**Janio**	√			53	**West**	√		

27	**Knight**			Ab	54	**Yates**			Ab
						Total	**33**	**-**	**18**

112.30 The Mayor confirmed that the amendment had been carried by 33 votes to 0 with 18 abstentions.

114.1 Councillor Mac Cafferty noted the outcome of the voting and proposed that an adjournment take place to enable the Group Leaders to discuss the potential of a composite amendment being drawn up based on the amendments that had been carried.

114.2 Councillor Platts formally seconded the motion.

114.3 The Mayor noted that an adjournment had been proposed and put this to the vote and called on the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were in favour of the recommendation and this was confirmed by the Members of the Conservative Group;

Councillor Brennan confirmed that she was voting in for of the motion;

Councillor Fishleigh confirmed that she was voting for the motion;

Councillor Janio confirmed that he was voting for the motion;

Councillor Knight confirmed that she was voting for the motion.

114.4 The Mayor confirmed that the motion to adjourn the meeting had been carried and therefore adjourned the meeting at 20.46pm for a short period.

114.5 The Mayor reconvened the meeting at 21.30pm and noted that a further amendment was to be moved which required the re-suspension of Standing Orders, which he was prepared to put to the Council to vote on. He therefore called on the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were in favour of the recommendation and this was confirmed by the Members of the Conservative Group;

Councillor Brennan confirmed that she was voting in for of the motion;

Councillor Fishleigh confirmed that she was voting for the motion;

Councillor Janio confirmed that he was voting for the motion;

Councillor Knight confirmed that she was voting for the motion

114.6 The Mayor confirmed that motion had been carried and invited Councillors Mac Cafferty, Platts and Bell to jointly propose the joint amendment.

114.7 Councillors Mac Cafferty, Platts and Bell jointly proposed the cross-party amendment, which was jointly seconded by Councillors Gibson, Yates and Miller.

114.8 The Acting Chief Finance Officer then confirmed the impact of the joint amendment to the overall budget proposals and position for 2021/22.

114.9 The Mayor then put the joint amendment to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Joint Labour, Green and Conservative Amendment

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**	√			28	**Lewry**	√		
2	**Appich**	√			29	**Littman**	√		
3	**Atkinson**	√			30	**Lloyd**	√		
4	**Bagaeen**	√			31	**Mac Cafferty**	√		
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**	√		
9	**Childs**	√			36	**Nemeth**	√		
10	**Clare**	√			37	**Nield**	√		
11	**Davis**	√			38	**O'Quinn**	√		
12	**Deane**	√			39	**Osborne**	√		
13	**Druitt**	√			40	**Peltzer Dunn**	√		

14	**Ebel**	√			41	**Phillips**	√		
15	**Evans**	√			42	**Pissaridou**	√		
16	**Fishleigh**	√			43	**Platts**	√		
17	**Fowler**	√			44	**Powell**	√		
18	**Gibson**	√			45	**Rainey**	√		
19	**Grimshaw**	√			46	**Robins**	√		
20	**Hamilton**	√			47	**Shanks**	√		
21	**Heley**	√			48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**	√			50	**Wares**	Not present		
24	**Hills**	√			51	**Wilkinson**	√		
25	**Hugh-Jones**	√			52	**Williams**	√		
26	**Janio**	√			53	**West**	√		
27	**Knight**	√			54	**Yates**	√		
						Total	**51**	**0**	**0**

114.10 The Mayor confirmed that the amendment had been carried unanimously.

114.11 The Mayor then put the General Fund Budget Revenue Budget, Capital & Treasury Management Strategy and Council Tax of 4.99% for 2021/22 together with the Supplementary Financial information and revised council tax resolution to the vote. He called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Budget vote

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**	√			28	**Lewry**	√		
2	**Appich**	√			29	**Littman**	√		
3	**Atkinson**	√			30	**Lloyd**	√		
4	**Bagaeen**	√			31	**Mac Cafferty**	√		
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		

8	**Brown**	√			35	**Moonan**	√		
9	**Childs**	√			36	**Nemeth**	√		
10	**Clare**	√			37	**Nield**	√		
11	**Davis**	√			38	**O'Quinn**	√		
12	**Deane**	√			39	**Osborne**	√		
13	**Druitt**	√			40	**Peltzer Dunn**	√		
14	**Ebel**	√			41	**Phillips**	√		
15	**Evans**	√			42	**Pissaridou**	√		
16	**Fishleigh**		X		43	**Platts**	√		
17	**Fowler**	√			44	**Powell**	√		
18	**Gibson**	√			45	**Rainey**	√		
19	**Grimshaw**	√			46	**Robins**	√		
20	**Hamilton**	√			47	**Shanks**	√		
21	**Heley**	√			48	**Simson**	√		
22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**	√			50	**Wares**	Not present		
24	**Hills**	√			51	**Wilkinson**	√		
25	**Hugh-Jones**	√			52	**Williams**	√		
26	**Janio**		X		53	**West**	√		
27	**Knight**	√			54	**Yates**	√		
						Total	**49**	**2**	**0**

114.12 The Mayor confirmed that the budget resolution had been carried by 49 votes to 2.

114.13 **RESOLVED:**

Formal Council Tax Resolution

1 It be noted that at on 21 January 2021 the Council calculated the Council Tax Base 2021/22

(a) for the whole Council area as 89,493.0 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")); and
(b) for dwellings in those parts of its area to which special items relate: -
Rottingdean Parish – 1,576.7
Hanover Crescent Enclosure – 39.5

Marine Square Enclosure – 70.7
Royal Crescent Enclosure – 31.0

2 Calculate that the Council Tax requirement for the Council's own purposes for 2021/22 (excluding Parish precepts) is £155,914,000.

3 That the following amounts be calculated for the year 2021/22 in accordance with Sections 31 to 36 of the Act:

(a) £801,756,927 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.

(b) £645,791,903 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) £155,965,024 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

(d) £1,742.76 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

(e) £79,108 being the aggregate amount of all special items referred to in Section 34(1) of the Act.

(f) £1,741.88 being the amount at 3(d) above less the result given by dividing the amount 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relates

(g)

£1,774.24 Rottingdean Parish
£1,953.45 Hanover Crescent
£1,906.62 Marine Square
£2,002.53 Royal Crescent

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

Valuation Band: Parts of the Council's area	A* £	A £	B £	C £	D £	E £	F £	G £	H £
Rottingdean Parish	985.69	1,182.83	1,379.96	1,577.10	1,774.24	2,168.52	2,562.79	2,957.07	3,548.48
Hanover Crescent	1,085.25	1,302.30	1,519.35	1,736.40	1,953.45	2,387.55	2,821.65	3,255.75	3,906.90
Marine Square	1,059.23	1,271.08	1,482.93	1,694.77	1,906.62	2,330.31	2,754.01	3,177.70	3,813.24
Royal Crescent	1,112.52	1,335.02	1,557.52	1,780.03	2,002.53	2,447.54	2,892.54	3,337.55	4,005.06
All other parts of the council's area	967.71	1,161.25	1,354.80	1,548.34	1,741.88	2,128.96	2,516.05	2,903.13	3,483.76

* Entitled to disabled relief

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

Band:	A*	A	B	C	D	E	F	G	H
Sussex Police & Crime Commissioner	119.39	143.27	167.16	191.03	214.91	262.67	310.43	358.18	429.82

* Entitled to disabled relief

Band:	A*	A	B	C	D	E	F	G	H
East Sussex Fire Authority	54.13	64.95	75.78	86.60	97.43	119.08	140.73	162.38	194.86

* Entitled to disabled relief

5 That the Council, in accordance with Section 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2021/22 for each part of its area and for each of the categories of dwellings

Valuation Band: Parts of the Council's area	A* £	A £	B £	C £	D £	E £	F £	G £	H £
Rottingdean Parish	1,159.21	1,391.05	1,622.89	1,854.73	2,086.58	2,550.27	3,013.95	3,477.63	4,173.16
Hanover Crescent	1,258.77	1,510.52	1,762.28	2,014.03	2,265.79	2,769.30	3,272.81	3,776.31	4,531.58
Marine Square	1,232.75	1,479.30	1,725.86	1,972.40	2,218.96	2,712.06	3,205.17	3,698.26	4,437.92
Royal Crescent	1,286.04	1,543.24	1,800.45	2,057.66	2,314.87	2,829.29	3,343.70	3,858.11	4,629.74
All other parts of the council's area	1,141.23	1,369.47	1,597.73	1,825.97	2,054.22	2,510.71	2,967.21	3,423.69	4,108.44

* Entitled to disabled relief

6 In accordance with Section 52ZB of the Local Government Finance Act 1992 the Council determines its relevant basic amount of council tax for the financial year 2021/22 is not excessive.

113 SUPPLEMENTARY FINANCIAL INFORMATION FOR BUDGET COUNCIL 25/02/2021

Note:

113.1 The item was taken into consideration as part of the overall budget debate and included in the votes on the amendments to the General Fund Revenue Budget and Council Tax for 2021/22 and Supplementary Financial Information recommendation 2.1 and the final vote on the overall General Fund Revenue Budget and Council Tax for 2021/22 as detailed under Item 112 above.

114 HOUSING REVENUE ACCOUNT BUDGET AND CAPITAL INVESTMENT PROGRAMME 2021/22 AND MEDIUM-TERM FINANCIAL STRATEGY

114.1 The Mayor noted that the Housing Revenue Account Budget and Capital Investment Programme 2021/22 and Medium-Term Financial Strategy had been taken into consideration as part of the overall budget debate as detailed under Item 112 above.

114.2 The Mayor then put the recommendations as detailed in the report to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Housing Revenue Account Budget and Capital Investment Programme 2021/22 and Medium-Term Financial Strategy

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**	√			28	**Lewry**	√		
2	**Appich**	√			29	**Littman**	√		
3	**Atkinson**	√			30	**Lloyd**	√		
4	**Bagaeen**	√			31	**Mac Cafferty**	√		
5	**Barnett**	√			32	**McNair**	√		
6	**Bell**	√			33	**Mears**	√		
7	**Brennan**	Not present			34	**Miller**	√		
8	**Brown**	√			35	**Moonan**	√		
9	**Childs**	√			36	**Nemeth**	√		
10	**Clare**	√			37	**Nield**	√		
11	**Davis**	√			38	**O'Quinn**	√		
12	**Deane**	√			39	**Osborne**	√		
13	**Druitt**	√			40	**Peltzer Dunn**	√		
14	**Ebel**	√			41	**Phillips**	√		
15	**Evans**	√			42	**Pissaridou**	√		
16	**Fishleigh**	√			43	**Platts**	√		
17	**Fowler**	√			44	**Powell**	√		
18	**Gibson**	√			45	**Rainey**	√		
19	**Grimshaw**	√			46	**Robins**	√		
20	**Hamilton**	√			47	**Shanks**	√		
21	**Heley**	√			48	**Simson**	√		

22	**Henry**	Not present			49	**Theobald C**	√		
23	**Hill**	√			50	**Wares**	Not present		
24	**Hills**	√			51	**Wilkinson**	√		
25	**Hugh-Jones**	√			52	**Williams**	√		
26	**Janio**	√			53	**West**	√		
27	**Knight**	√			54	**Yates**	√		
						Total	**51**	**0**	**0**

114.3 The Mayor confirmed that the recommendations had been carried unanimously.

114.4 **RESOLVED:**

(1) That the updated HRA revenue budget for 2021/22 as shown in Appendix 2 be approved; and

(2) That the 3-year programme as set out in Appendix 4 be noted and that the Capital Programme Budget of £38.395m for 2021/22 be approved.

115 CLOSE OF MEETING

115.1 The Mayor thanked everyone and closed the meeting.

The meeting concluded at 9.30pm

Signed Chair

Dated this day of 2021

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 25 MARCH 2021

VIRTUAL

MINUTES

Present: Councillors Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates.

PART ONE

116 DECLARATIONS OF INTEREST

116.1 Councillor Druitt declared a personal but non-prejudicial interest in Item 125, Members' Oral Questions as the question from Councillor Fishleigh related to subsidise bus services and he was a Director of the Big Lemon Bus.

116.2 Councillor Phillips also declared a personal and non-prejudicial interest in Item 125 as she was Councillor Druitt's partner.

116.3 Councillor Lloyd declared a personal but non-prejudicial interest in Item 125, Members' Oral Questions which related to transport matter as he was employed by Sustrans but worked outside of the city.

116.4 Councillor Powell declared a personal and non-prejudicial interest in Item 136, Notice of Motion on RISE as her partner had completed some consultation work for RISE but not related to the contract in question.

116.5 No other declarations of interests in matters appearing on the agenda were made.

117 MINUTES

117.1 The minutes of the last ordinary meeting held on the 28 January were approved and signed by the Mayor as a correct record of the proceedings.

118 MAYOR'S COMMUNICATIONS.

118.1 The Mayor gave the following communications:

The 23 March marked one year since the first lockdown due to Covid-19. I visited All Saints Church on Tuesday to light a candle. Members will also be aware of the sad news that the former Mayor of Hove from 1989 to 1990, Margaret Adams has passed away, our thoughts are with her family. I would like to start the meeting by holding a minute silence in remembrance of all the people that are no longer with us.

A minute's silence was then held as a mark of respect.

118.2 I need to update Council on some procedural matters. I would like to confirm that I have agreed to take an extra report on the Pay Policy Statement 2021/22 which needed to come to Council for decision following approval at the Policy & Resources Committee on the 18th March. An extract from the committee and the report are detailed in the addendum one papers on pages 31 – 44.

118.3 I am also aware that a report on 2030 Carbon Neutral Programme was referred from the Policy & Resources Committee for information and is included in the addendum one papers on pages 45 to 94. I have also been informed that the Policy & Resources Committee deferred consideration of the Constitution report at its meeting last week. As such, there are no recommendations from the committee, and I have therefore decided to withdraw the item from today's meeting and agenda.

118.4 That deals with procedural matters and I now have some communications and I wanted to inform council that Plans for a remembrance event for the City are currently being discussed with my Chaplaincy the Interfaith Contact Group. I will keep the Council informed of progress and once a date has been confirmed and ensure that all Councillors are invited to the event.

118.5 As you will be aware March is Women's History Month, so I thought it was appropriate to let you know that a *Women behind the Plaques* tour has been prepared in anticipation of lockdown restrictions being lifted and will take place in June, July and August raising money for my charities.

118.6 In having regard to the Council's ambition to become carbon neutral by 2030, can I remind councillors that Saturday 27 March at 20:30 - 21:30 is Earth Hour, organised by the WWF (World Wildlife Fund). People are being asked to switch off their lights to show they care about the future of our planet, our shared home, and I hope you will join in. To find out more visit www.wwf.org.uk

118.7 Finally, over the last month I have joined several staff team meetings to say thank you to teams that have continued to keep services going in challenging circumstances. The message that is coming across loud and clear is that everyone is very keen to get back to work and interact with colleagues.

119 TO RECEIVE PETITIONS AND E-PETITIONS.

119.1 The Mayor invited the submission of petitions from councillors and members of the public. He reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.

119.2 Mr Toyer presented a petition concerning the need for parking bays on Roedale Road.

119.3 The Mayor thanked Mr Toyer and stated that it would be referred to the Environment, Transport & Sustainability Committee and noted that one other petition was due to have be submitted by Ms Buzgya and stated that it could be referred directly to the appropriate committee.

120 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

120.1 The Mayor reported that 6 written questions had been received from members of the public and invited Charlotte Harman to come forward and address the council.

120.2 Ms Harman asked the following question; I understand that the council's existing contract with Veolia means that it cannot recycle lower-grade plastics. Would the council consider trialling the recycling boxes offered by a company called Reworked?

Companies like Reworked offer recycling of fishing nets, PPE, as well as items that are deemed 'non-recyclable' and turn them into boards to become a variety of new long-term use items.

120.3 Councillor Heley replied; at Environment, Transport & Sustainability Committee last week, we agreed for a feasibility study to be completed to understand the costs of retrofitting our Materials Recovery Facility in order to collect and process Pots, Tubs & Trays, that low-grade plastic that is difficult to recycle. The results of this study will be brought to a future committee for a decision on whether changes should be made to enable the collection of PTT and lower grade plastics in the recycling stream in the city.

We are also waiting for further consultations from the government on various measures that will potentially have a significant impact on what is collected in Brighton & Hove and the types of materials used in the production of packaging and we would also like them to stop the production of this type of packaging at all.

Cityclean will pass on the details of Rework to Veolia as a potential customer should a decision be made to accept PTT and it would be interesting to know more about this company, particularly, whether they are able to scale up their volumes that would arise from collections in the city that have such a large scale. Also, we have fishing net recycling on the seafront, we have been with Leave No Trace Brighton.

If you would like to email me after this meeting, we can have a further discussion about it.

120.4 Ms Harman thanked Councillor Heley and confirmed that she did not have a supplementary question.

120.5 The Mayor thanked Ms Harman for her question and invited Malcolm Spencer to come forward and address the council.

120.6 Mr Spencer asked the following question; Ovingdean has seen a significant rise in visitor numbers and consequently rubbish. There are only four bins across a large area including the seafront, coast road, village and main parking areas.

Could new bins please be provided at these heavily used sites?

1) Multiple locations on Greenways: near the bus stop; Blind Veterans; along the parking strip
2) On Ovingdean Road, at the entrance to the farm
3) At the junction of Ovingdean Road and Longhill road, next to the farm gate.

The bottom of Old Parish Lane that links Ovingdean to Woodingdean.

120.7 Councillor Heley replied; Cityclean is completing a wholescale review of the binfrastructure across the city. This includes increasing provision of litter bins and introducing options for recycling, where it is appropriate to do so.

Your question and your list of suggested locations has been shared with the Project Officer who is reviewing the Ovingdean area and will use this.

120.8 Mr Spencer thanked Councillor Heley and confirmed that he did not have a supplementary question.

120.9 The Mayor thanked Mr Spencer for his question and invited John Cole to come forward and address the council.

120.10 Mr Cole asked the following question; As a Green Party led Council why are the garden waste collections and the recycling waste collections consistently missed in Saltdean?

This is poor service and does not motivate residents to do the right thing and recycle responsibly. As the garden waste collection is an additional cost to residents, we are also being charged for a service we are not receiving.

120.11 Councillor Heley replied; I am very sorry to hear about the service disruptions that have recently occurred in Saltdean. We would like to, of course, have 100% of collections made on time and City Clean are striving to improve their performance in this area.

I know you said you have been complaining since 2019 but we have been particularly impacted this year by the pandemic which, I am sure, everyone can understand where operational staff needing to shield or self-isolate, and higher than normal levels of sickness.

I have some figures for you, according to City Clean the garden waste team have made 3340 collections in Saltdean this year, between 4/1/21 and 1/3/21, which makes the collection rate of 98.92%. Some of the 1.08% recorded as missed, will be due to blocked vehicle access, bins in wrong locations and the odd occasions whereby subscriptions have actually lapsed and would need to be renewed.

We are also being impacted by some vehicle breakdowns which has also affected recycling collections in other parts of the City. The fleet is ageing and will be replaced in coming years as part of the fleet replacement programme with new electric or hydrogen-based vehicles as they become available. We will also be investing in a new software ICT system to aid with the delivery of collection services. I happy to send you the figures I mentioned and do get in touch if you get a missed collection again and I will try and sort it out for you.

120.12 Mr Cole asked the following supplementary question; I do doubt those figures that were quoted, I would like to see them, because my own collection and anecdotally from our neighbours that beggars belief that they have collected 98%, I don't believe it (in Saltdean).

When the garden waste collection is missed it is never collected until the next regular collection day which means we have paid for a collection we do not receive. We then have to wait a further 2 weeks or take the garden waste to the tip, which is an unnecessary journey and is causing more pollution because I am going up to the tip in my car which I shouldn't need to do.

120.13 Councillor Heley replied that she was unable to give a full response and would provide a written answer after the meeting.

120.14 The Mayor thanked Mr Cole for his questions and invited Ben Benatt to come forward and address the council.

120.15 Mr Benatt asked the following question, It relates to the BHCC's 2030 Carbon Neutral Programme. I haven't seen the draft being officially released but it has been on the communication channels for Extinction Rebellion Brighton, someone has placed it on there. This question is on behalf of Extinction Rebellion Brighton.

We welcome the programme, but we have concerns about three key elements in particular:

First of all the reliability of data – in terms of the referencing, without proper references how can we confirm data used to formulate this plan is correct? It mentions using an application by ScatterCities to calculate data and it seems, looking at the application that you actually have to feed the stuff in so Brighton's fed that information it is not really a true source and we are concerned about the transparency.

We are concerned about the emphasis of the programme which doesn't biodiversity even though an ecological emergency has been declared around our planet. Biodiversity only gets 25 mentions compared to carbon which gets 162 and only really gets to page 111. It feels that the emphasis is very low, biodiversity elements are weak and lack specific targets.

In terms of the practical action proposed - Land-use carbon accounting and building sustainably are key elements to reducing emissions and yet the programme doesn't once mention the word 'requirement', it just speaks about 'guidance', so we are worried that it is going to be a not very hard hitting program and help to achieve any meaningful targets.

So XR Brighton concludes from viewing this draft that the plan appears to be seriously flawed and wonder if there is going to be a consultation process and if so, how can we get involved?

120.16 Councillor Heley replied, I am pleased to hear that you welcome the city council's 2030 Carbon Neutral Programme, and it was approved last week at ETS & Policy & Resources Committee. I have quite a long response for you which I will send as there are other questions still to be asked. However, on the consultation we are anticipating and expecting that individual projects within the 2030 Carbon Neutral Programme will each have a consultation so hopefully that helps.

120.17 Mr Benatt thanked Councillor Heley and confirmed that he had no supplementary question.

120.18 The Mayor thanked Mr Benatt for his questions and invited Nigel Smith to come forward and address the council.

120.19 Mr Smith asked the following question; The mandatory 5-year review of the City Plan and its Sustainability Appraisal, lacks a Transport Assessment Update for the Infrastructure Delivery Plan. The last annual monitoring Transport Assessment Update was in 2014.
With the well documented unplanned rise in congestion since 2014, it is very unlikely the City Plan's required housing developments can now be achieved sustainably, which invalidates City Plan Part 2 unless it addresses this.

When will you perform the obligatory Transport Assessment Update and publish it for consultation?

120.20 Councillor Osborne replied; A review of City Plan Part One has taken place in line with the National Planning Policy Framework requirement for this to take place within five years of adoption. That was undertaken in 2016, now five years later, the outcome was reported to TECC Committee in March 2021. As required by the NPPF, the review took the form of an assessment of the need for policies to be updated, rather than a full revision of the Plan. The review concluded that a full update of City Plan Part One is necessary, and this will be progressed after the adoption of City Plan Part Two in line with the timetable set out in the recently adopted Local Development Scheme. You can view this online at the city council's website.

Regarding City Plan Part Two, its main role is to implement the spatial strategy set out in City Plan Part One. Part One, included the transport evidence underpinning it, was examined and found sound by an independent planning inspector and adopted by the Council in 2016. The full review of City Plan Part One will be the right time to revisit and update the Strategic Transport Assessment.

120.21 Mr Smith asked the following supplementary question; In view of the history of incorrect data being used for the Old Shoreham Road and other transport determinations, does the Council agree that transport assessment update must be published as soon as possible if CPP2 is to have any credibility?

120.22 Councillor Osborne replied; I think I have basically answered the question beforehand. It is going to be in the City Plan Part Two adopted and then in the City Plan Part One, and at the City Plan Part one review that assessment update will be done and it will be carried out and I assume there will be a consultation on that, in line with how we do our consultations.

120.23 The Mayor thanked Mr Smith for his questions and invited Neil Williams to come forward and address the council.

120.24 Mr Williams asked the following question; Why is the Council supporting the destruction of a much-loved, healthy, mature tree in the Cliftonville Conservation Area in order to pave the way for a Planning Application twice rejected, specifically because of the presence of the tree, by both the Council Planning Committee and the Secretary of State?

The felling of this tree would be in direct contravention of Local Plan policy QD16 and cuts against the grain of current environmental research about the benefits of trees and plants to encourage wildlife, biodiversity and promote positive mental health within urban communities.

How is this decision justified?

120.25 Councillor Littman replied; Thank you for your question, Mr Williams. In Oliver Twist, Charles Dickens had the character of Mr Bumble proclaim, “The law is an ass.” To what extent that is the case, has been hotly debated ever since. One thing is certain is that it is true that Planning law and other legislative frameworks often fail to match up nearly as clearly and as precisely as we would like. I’m afraid that is the case here. Members of Planning Committee who voted to refuse the Planning Application for the extension, on the basis of the amenity value of the tree, and the Government Planning Inspector who upheld their decision, believed that the tree should be protected. Planning legislation and the Local Authority’s Policies QD16 and QD27 allow for that decision.

However, in order to refuse the application to remove the tree; received last month, the local planning authority would have to agree a Tree Protection Order being placed on that tree. Unfortunately for the tree, the legislative framework which dictates the criteria for the application of a Tree Protection Order is entirely separate to Planning legislation.

In order for a TPO to be applied, trees have to fulfil assessment criteria in accordance with what is called the Tree Evaluation Method for Preservation Orders. This structured assessment involves allocating points to the tree under consideration. The tree under threat at 12 Sussex Road was independently assessed by 2 BHCC Tree Officers both of whom scored the tree at a level where a TPO would not be defensible, as defined within the TEMPO guidance. This tree is highly valued by residents in overlooking

properties able to view the tree from elevated viewpoints but visibility from public places is a key element when considering TPO application. In other words, if we applied a TPO to this tree, it would be a misuse of a statutory tool and would not stand up to scrutiny. We would be open to a legal challenge which our experts believe we would lose, since such a challenge would be assessed on the basis of the TPO not as a Planning Application.

Since local authorities are not legally allowed to refuse permission for tree works or removal in Conservation areas, if the tree in question meets the criteria in terms of stem diameter, and there isn't a TPO in place, fundamentally, the relevant legislation leaves the BHCC Arboriculture service in a position where they cannot legally protect the tree from removal.

120.26 Mr Williams asked the following supplementary question; I guess your Dickens' quote is ringing loud in my ears at the moment. I find the lack of connection between the fact that this latest application to chop down the tree cannot be connected to the inevitable, subsequent, planning application that will follow. A very cynical strategy to undermine democratic process and exploit the disconnection between council departments. It is an attempt to isolate the unwarranted request to destroy the tree from this inevitable planning application it will follow. There is the 1983 Strategy that does value all trees. I am asking in the light of the Mayor's earlier reference to the Council's commitment to establishing a carbon neutral city to ask that you begin this by preserving this green corner, protecting this beautiful tree much loved, as you say, in the community and maintaining the amenity enjoyed by local wildlife and neighbouring residents.

120.27 Councillor Littman replied; I personally find the loss of any tree a tragedy and should the law allow us to protect that tree then I have no doubt that we would, but I believe that it doesn't. If you don't mind, I will finish with another quote "I think I will never see a billboard as lovely as a tree in-fact until the billboards fall, I will never see a tree at all".

120.28 The Mayor thanked Mr Williams for his questions and noted that was the last question.

121 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

121.1 The Mayor reported that five deputations had been received from members of the public and that he would invite the spokespersons to introduce their deputation and for the relevant Chair to respond. He noted that 15 minutes were set aside for the consideration of deputations.

(1) CLIMATE CHANGE & PLANT BASED DAYS IN SCHOOLS

121.2 The Mayor invited Ms Alison Plaumer as the spokesperson for the first deputation to come forward and address the council. The deputation related to climate change and having plant-based days in schools in Brighton and Hove.

121.3 Ms Plaumer spoke on the deputation relating to the issue of climate change and having plant-based days in schools.

121.4 Councillor Hills thanked Ms Plaumer for her deputation and stated that she fully supported the aims outlined and hoped that the committee would give it full consideration.

121.5 The Mayor thanked Ms Plaumer for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Children, Young People & Skills Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

121.6 **RESOLVED:** That the deputation be noted and referred to the Children, Young People & Skills Committee.

121.7 The Mayor then invited Madeleine Dickens as the spokesperson for the second deputation to come forward and address the council.

(2) DEPUTATION CONCERNING HOSPITAL TRUSTS MERGER

121.8 The Mayor reported that five deputations had been received from members of the public and that he would invite the spokespersons to introduce their deputation and for the relevant Chair to respond. He noted that 15 minutes were set aside for the consideration of deputations.

121.7 The Mayor invited Ms Madeleine Dickens as the spokesperson for the second deputation to come forward and address the council. The deputation related to the proposed hospital trusts merger.

121.8 Ms Dickens spoke on the deputation relating to the issue of the proposed merger of the Brighton and Sussex University Hospitals Trust and Western Sussex hospitals NHS Foundation Trusts.

121.9 Councillor Evans thanked Ms Dickens for her deputation and stated that the 2013 Health Scrutiny Regs explicitly exclude constitutional changes (such as mergers) from Substantial Variations in Service (SViS) scrutiny, unless they also involve service change. The BSUH position is that the merger proposals do not entail any service change, hence there is no statutory role for HOSCs in this matter. However, BSUH were happy to engage with Health Overview and Scrutiny Committee informally, and a senior management team from the hospital trust came to the December 2020 HOSC meeting. In this meeting they gave a long presentation and answered member questions. Minutes of this discussion are publicly available on the Council website.

Separately from this Adam Doyle (Chief Executive Officer – Sussex NHS Commissioners) and Marianne Griffiths (Chief Executive NHS Trusts for Western Sussex Hospitals and BSUH) have also met with the Chairs of all Sussex HOSCs to talk through the merger plans.

With this context in mind I'm not sure what benefit there would be to looking at this again at HOSC, given that it sits outside HOSC legal powers and that BSUH have already presented to the committee.

121.10 The Mayor thanked Ms Dickens for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Health Overview & Scrutiny Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

121.11 **RESOLVED:** That the deputation be noted and referred to the Health Overview & Scrutiny Committee.

121.12 The Mayor noted that the time allowed for the consideration of deputations had been reached and therefore confirmed that the remaining deputations listed on the agenda would be referred directly to the appropriate committee or held over for the July meeting following consultation with the spokespersons.

122 SCHOOL PLACES FOR CATCHMENT AREA CHILDREN

122.1 The Mayor noted that the Council's Petitions Scheme provides that where a petition secures 1,250 or more signatures it can be debated at a meeting of the full Council and said that he had been informed of one such petition for today's meeting. The Petition concerned school places for children in catchment areas and he called on Ms Anna Cole to present the petition.

122.2 Ms Cole thanked the Mayor and stated that she was representing a group of 62 families who all lived in the catchment area for Dorothy Stringer and Varndean schools. These parents simply wanted their children to be able to attend one of their local schools but had been allocated schools across the city which meant they would have to catch several buses and would be separated from their friends. A number had been allocated schools that were further away than other schools outside of the catchment area which also seemed unfair. However, the main concern was that it was felt Dorothy Stringer School should be able to take an additional 30 pupils above its number as it had in previous years and given that it was under capacity at present. She then read out some statement from the children affected by the decisions not to award places in the catchment area. She hoped that the matter could be reviewed, and appropriate action taken to enable the children to attend their local school.

122.3 Councillor Clare thanked Ms Cole for presenting the petition and stated that first and foremost she wanted to underline that understood that this has been a distressing episode for some families at a time of significant upheaval and uncertainty. She wanted to assure Ms Cole that councillors and offices were trying their best to alleviate the stress and fallout this has caused. There had been continued dialogue with the schools to see if a sustainable, long term solution could be found but currently it was not possible to have an additional class.

She noted that prior to national offer day the council had already reviewed whether it would be appropriate for bulge classes to be used to meet the demands within catchment. In considering whether bulge classes are appropriate and could be accommodated, the capacity of the schools to safely absorb additional pupils had to be considered, and of course this included consultation with our schools. Since 2018 both

Dorothy Stringer and Varndean schools have admitted more pupils when it's been possible to do so safely, and Varndean School has become permanently become bigger as a result. Stringer had also agreed to expand but only on a temporary basis. The analysis of the schools and the council this year is different. Schools have admitted up to the published admissions number for this year. Varndean is experiencing ongoing disruption of the building works needed to provide for this expansion, works that were already funded to allow for additional classes to be absorbed safely.

On top of this, Dorothy Stringer is already still managing an additional 31 pupils going through the school from previous bulge classes. They have a number of teaching spaces that are too small to take bigger classes and this causes issues around both exam season, and some specific classes where there are health and safety requirements, like Design and Technology. They also have temporary classrooms on site.

This has meant the schools are in a good position to analyse from that real experience the impact upon existing and future pupils of growing the school still larger, and we have listened to that feedback and taken it on board. In conjunction with the schools and following cross-party discussions, the council has concluded that they should not absorb the numbers required on top of the additional numbers they have already taken.

I appreciate this is a difficult conclusion to hear for those affected. There has been some speculation that Dorothy Stringer could absorb additional pupils than is currently being managed. I'm afraid this has been followed up and is not the case. There are additional planning and practical requirements to be taken into account. These include timetabling, available staff, and very practical logistical implications such as overcrowding in the corridors, stairwells, the number of toilets and canteen facilities.

The impact on schools of taking additional pupils is more than providing temporary accommodation, and making individual class sizes bigger, challenging as that is. Dorothy Stringer school has highlighted from its experience that larger year groups have a detrimental effect on students' attitude to learning and progress. In larger classes the individual attention given to each child is reduced. This particularly affects lower attaining students who are working in significantly larger groups than the school would like.

The Council also has a responsibility to look at the situation of all schools in our city and to think about whether the bulge classes are needed for the city as a whole, and whether these additional resources are going to be needed going forward. Taking everything into account, we believe that making the schools even bigger is not going to be the right thing for all our schools or the city and in particular, for our children, especially in a year where issues of overcrowding have real implications for the health of pupils and staff.

While this is small comfort, it is very likely that some will eventually be offered places within the catchment, without requiring the schools to go above the PAN. Some pupils will be able to be taken off the waiting list when it is known what offers have been

accepted across the city. There is also a mechanism for the families of the children affected to challenge the decision via the independent Appeals mechanism.

However I do appreciate that for the young people and families involved understanding why the decision has been taken offers small comfort, which is why I give my commitment that we will support every child who has been impacted by the decision. I have discussed with council officers and requested that they invite all of those families affected for this September to meet and discuss their situation in the coming days.

Our schools' wellbeing service will also be supporting the transition, as they do for all year 6 pupils, and are putting in additional support for those affected. As I have already highlighted, I want to put steps in place to ensure we look at the long-term sooner, rather than later. Finally, I want to again thank you for your engagement on this issue and offer you both my understanding but also my assurance that we want a long-term, sustainable solution for children, young people and schools in our city.

122.4 Councillors Brown and Allcock acknowledged the difficulty and concerns raised by the petition and that there was a need to look at how the situation could be addressed in the future. However, it was not possible to increase class sizes and a decision had been taken this time by both the schools and the council. It was noted that the Working Group would be looking at the catchment area and it was hoped that changes to the process could be made for the future. The council took the well-being of its pupils seriously and the provision of high-quality education in the city.

122.5 Councillor Janio stated that he had listened to the comments and questioned why the situation could not be resolved, it was only a bulge that was going through the system and it could be addressed.

122.6 Councillor Clare noted the comments and stated that the situation had been looked at and unfortunately there was nothing that could be done at this stage, although the process would be reviewed and hopefully improvements made for the future.

122.7 The Mayor then put the recommendation to note the petition to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

122.8 Councillor Mac Cafferty stated that the Green Group were in favour of the recommendation and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the recommendation and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were in favour of the recommendation and this was confirmed by the Members of the Conservative Group;

Councillor Brennan confirmed that she wished to abstain from voting on the matter;

Councillor Fishleigh confirmed that she was voting for the recommendation;

Councillor Janio confirmed that he was voting against for the recommendation;

Councillor Knight confirmed that she was voting for the recommendation.

122.9 The Mayor confirmed that the recommendation to note the petition had been carried.

122.10 **RESOLVED:** That the petition be noted.

123 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

123.1 The following items on the agenda were reserved for discussion:

Item 126 City of Sanctuary Reaccreditation
Item 127 Next Steps – Rough Sleeping and Accommodation During Covid 19 Pandemic and recovery
Item 129 Health & Wellbeing Board Review Proposals for Agreement
Item 130 Members Allowances
Item 130 (B) 2030 Carbon Neutral Programme

(b) Receipt and/or Approval of Reports

123.2 The Head of Democratic Services confirmed that the following report on the agenda with the recommendations therein had been approved and adopted:

Item 130 (A) Pay Policy Statement 2021/22

(c) Oral Questions from Members

123.3 The Mayor noted that there were no oral questions.

124 WRITTEN QUESTIONS FROM COUNCILLORS.

124.1 The Mayor confirmed that written questions from Members and the replies from the appropriate Councillor were taken as read by reference to the list included in the addendum which had been circulated prior to the meeting as detailed below:

(1) Councillor Fishleigh:

124.2 How many tickets have been issued for fly tipping at Saltdean Oval's recycling point?

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

124.3 36 Fixed Penalty Notices have been issued at the Saltdean Oval recycling point from April 2020 to 16 March 2021.

(2) Councillor Fishleigh:

124.4 When will the people living in vans and the vehicles that are parked permanently at Black Rock, along Madeira Drive and East Brighton Park be moved on or given parking tickets?

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

124.5 Possession orders have been obtained in relation to Black Rock. Legal are preparing an application relating to Madeira Drive. However, the Court has imposed conditions on the possession order which does not allow us to enforce it while we are in lockdown. We will have to wait and see what the Government says in relation to the lifting of restrictions. Parking tickets were issued but this generated some very challenging behaviour from some of the van dwellers residing on Madeira Drive and it was not felt to be safe for officers to attend again unless accompanied by Police officers.

A possession order will also be sought to move the lived-in vehicles gathered at East Brighton Park; the order is likely to have the same condition that enforcement can only be taken once lockdown restrictions have been lifted.

Over the course of the lockdown people have been offered accommodation – no-one has taken up that offer - and there have been regular visits where health and welfare checks have been made.

All occupants of the vehicles have been told that they can be accommodated if they would like accommodation. There have been regular visits where health and welfare checks have been made and contact details provided should they have any welfare concerns.

(3) Councillor Appich - EU Citizens:

124.6 EU citizens legally resident in the UK are able to vote in the 2021 local elections in England. EU citizens currently retain their right to vote in local elections even though the UK has already left the EU, and do not required settled or pre settled status to be able to register to vote. Despite that, half of EU citizens resident in the UK are not registered to vote.

Given that we have two by-elections and the PCC elections in May, I'd like to know how we are encouraging EU citizens to register to vote.

I would also like an update on the numbers of EU citizens in the city who have applied for settled and pre settled status, how we are encouraging EU citizens to apply for settled status, and what assistance we are giving to people who are finding it difficult to apply or have difficulties in obtaining settled status.

Reply from Councillor Gibson, Deputy Chair (Finance) of the Policy & Resources Committee

124.7 **EU Citizens – Registering to vote**

The ERO undertook the annual canvass from July through to February. Correspondence was sent to all properties in the city, via post and/or email, confirming eligibility to vote – including that EU electors can register to vote.

The ERO and RO's communications prior to the election will be encouraging all residents who are not registered to register. The BHCC website, paper registration forms sent by the ERO and gov.uk's Individual Electoral Registration Digital Service all confirm eligibility.

EU Settlement Scheme Support in Brighton & Hove

Migrant Help are continuing to provide advice in Brighton & Hove for vulnerable EU citizens who need help to register under the EU Settlement Scheme. Migrant Help adviser Charlotte Cheeseman continues to provide remote advice and application support across East Sussex & Surrey. Contact details can be found on the council's Brexit in Brighton & Hove online pages.

Voices in Exile are working with rough sleepers in the city as part of the Everyone In scheme to ensure they are able to apply to the EUSS.
The council have developed a programme of support with Brighton Chamber for local businesses to assist them with the changes related to Brexit. An event has already taken place highlighting the requirements of the new immigration system and the next event in April 2021 will focus on the new system and the EUSS:
https://www.brightonchamber.co.uk/event/your-questions-answered-the-uks-new-immigration-system
The council's adult social care team are working with immigration lawyers (Fragomen) to provide an advice session for care providers in the city on the EUSS and the requirements of the new immigration system.

The council are working with Seraphus immigration solicitors to provide free legal advice to EU citizens in the city through online surgeries and hopefully in some physical form in the future depending on COVID restrictions, which have impacted all EUSS support throughout the last year.

The council still awaits the Home Office guidance on what will constitute an allowable late application and is in contact with the Independent monitoring Authority for the Citizens' Rights Agreements (https://ima-citizensrights.org.uk/) to highlight emerging challenges and barriers to applicants applying to the scheme as well as sharing best practice.

EU Settlement Scheme Communications

The council has undertaken a number of communication actions to raise awareness of the EU Settlement Scheme in the city, through advertising and messaging through council and partnership networks:

- Latest news story (23rd March 2021) on EU Settlement Scheme - **Only 100 days remain to apply to the EU Settlement Scheme**: https://www.brighton-hove.gov.uk/news/2021/only-100-days-remain-apply-eu-settlement-scheme
- A postcard raising awareness of the EUSS and encouraging EU citizens to apply to the scheme has been distributed to all households in the city. This initiative has been welcomed by EU citizens and heralded as an example of good practice. Positive

feedback has been received from national campaign groups as well as a neighbouring local authorities who made contact to request permission to replicate the work.

- A video featuring Cllr Ebel, Chair of the Brexit Working Group, calling for EU citizens to apply to the EUSS has been widely shared on social media: https://www.youtube.com/watch?v=-FUyfypRubo
- EUSS adverts are being displayed on digital bus shelters citywide and posters have also been placed across the city.
- Editorial and adverts about the EUSS have featured in local, community magazines including:
  - Gscene
  - The Argus
  - The Scroll
  - The Brightonian
  - The Hovarian
  - The North Laine Runner
- The council's Brexit webpages provide information on the scheme including signposting to support as well as an aftercare section covering what EU citizens should do after they have applied to the scheme.
  - https://www.brighton-hove.gov.uk/brexit-brighton-hove
- Messaging on the EUSS will also be going to schools and nurseries in the city in the coming weeks.

Further communications are being planned as we get closer to the deadline on 30th June 2021 and potential resources to help EU citizens in the city access their online status – to assist with employment, housing and access to services – are being developed.

Brighton & Hove - EU Settlement Scheme Home Office Quarterly Statistics (February 2021)

The Home Office release quarterly statistics providing the number of applications to the scheme. In February 2021 the Home Office reported that 26,550 EU citizens from Brighton & Hove had applied to the scheme so far. Available statistics are outlined below and the next release from the Home Office is expected in May 2021.

Home Office EU Settlement Scheme Quarterly Statistics Brighton & Hove						
	28th Aug 2018 – 30th Sep 2019 (Released 7th Nov 2019)	28th Aug 2018 – 31st Dec 2019 (Released 6th Feb 2020)	28th Aug 2018 – 31st March 2020 (Released 14th May 2020)	28th Aug 2018 – 30th June 2020 (Released 27th Aug 2020)	28th Aug 2018 – 30th Sept 2020 (Released 26th November 2020)	28th Aug 2018 – 31st Dec 2020 (Released 25th Feb 2021)
Applications to the scheme	9750	14970	18690	20280	22140	26550

Granted Settled Status	4860	7550	9430	10380	11340	12690
Granted Pre-Settled Status	3140	5960	7640	8410	9550	11550
Other outcome*	70	120	220	280	440	570
Applications still in process	1680	1340	1410	1210	810	1740
Nationality						
Austria	60	80	100	110	120	140
Belgium	90	120	150	160	180	230
Bulgaria	310	430	520	570	620	750
Croatia	30	30	60	60	70	100
Cyprus	50	100	140	150	170	240
Czech. Rep.	180	330	410	440	470	540
Denmark	60	90	110	140	140	190
Estonia	40	50	80	80	90	110
Finland	80	130	160	170	190	210
France	650	1020	1290	1380	1510	1830
Germany	520	730	890	960	1050	1270
Greece	460	710	880	950	1020	1320
Hungary	530	810	980	1060	1120	1310
Iceland	20	30	40	40	40	50
Ireland (Irish nationals not required to apply but can if they wish)	20	30	40	40	50	70
Italy	1720	2680	3280	3510	3800	4420
Latvia	180	270	320	340	360	400
Lichtenstein	0	0	0	0	0	0
Lithuania	310	430	530	580	610	71
Luxembourg	Between 1-9	10	20	20	20	30
Malta	20	30	30	40	40	60
Netherlands	220	300	380	420	460	550
Norway	50	80	110	110	130	180
Poland	1030	1540	1950	2110	2270	2660
Portugal	510	780	930	990	1060	1210
Romania	600	900	1140	1340	1580	1960

Slovakia	210	320	420	450	470	530
Slovenia	20	30	40	40	40	50
Spain	1190	1980	2480	2660	2910	3390
Sweden	250	370	460	490	550	700
Switzerland	40	90	120	130	140	190
Non - EAA	320	480	650	740	870	1170
Sweden	250	370	460	490	550	700
Switzerland	40	90	120	130	140	190
Non - EAA	320	480	650	740	870	1170

Age Group						
Under 18	660	1050	1320	1450	1630	2120
18 to 64	8840	13550	16890	18330	19970	23810
65+	240	360	480	510	540	610
*Other outcome refers to 'refused applications, withdrawn or void applications & invalid applications'.						

(4) Councillor Childs – Housing sites in Freshfield Road:

124.8 Given the dire housing shortage in our city, what action will the Administration take to unlock the 10 priority housing development sites in our city, and in particular the Freshfield Road Industrial Estate site, for new homes?

Reply from Councillor Hugh-Jones, Joint Chair of the Housing Committee

124.9 Providing additional affordable homes is a key priority in our Housing Committee Work Plan 2019-23. This includes achieving 800 additional council homes and 700 other additional affordable homes. Since April 2019, over 220 additional rented council homes have been provided across the city. The council is projected to deliver up to 199 additional homes in 2021/22. Homes for Brighton & Hove, the council's partnership with Hyde, will deliver 346 homes at the first two sites, with work due to commence in Summer 2021. A total of 1,025 homes are projected to be delivered by partner Registered Providers between 2019 and 2023 (311 rent and 714 shared ownership).

With regard to unlocking priority housing development sites. Following the decision of Budget Council, we will be recruiting a project officer to work closely with colleagues across the council, Homes England, the industry and landowners on mechanisms to help deliver difficult housing sites.

With regard to Freshfield Road. City Plan Policy DA5 of the CPP1 identifies Freshfield industrial estate as part of the Eastern Road and Edward Street Development Area. The policy recognises that the Freshfield site is well occupied and only likely to come forward in the longer term.

While the council owns the freehold of the Freshfield Industrial Estate, it is let on a number of very long leases of 92 years and more. The council is unable to unilaterally terminate these interests.

There are only a few Industrial Estates in the City and a number of them are protected in the City Plan. The market has improved for industrial uses due to the increased demand and lack of space particularly over the pandemic where industrial warehousing/distribution space is at a premium. Given this council's commitment to community wealth building and the change in retail habits, people's ability to work from home and the housing crisis, we should be considering the potential for alternative uses for existing office space and retail units, including potentially as workshop space.

(5) Councillor Allcock – Use and cost of Agency Teaching Staff:

124.10 What were the costs of using agency teaching staff in the City's maintained and voluntary aided schools in comparison with directly employed teaching staff for financial years:

- 2018 to 2019
- 2019 to 2020
- 2020 to 2021

What agencies were used during these financial years?

Did the cost of using agencies vary, and if so what was the difference?

Reply from Councillor Clare, Chair of the Children, Young People & Skills Committee

124.11 Schools are responsible for decisions in relation to the management of their budget and staff and how they resource this. The Council holds some data related to this as part of finance information that we receive but the Council does not hold detailed information as each individual school will have this and they do not provide detailed information to the Council. We will send the figures to Cllr Allcock but the headline figures for each financial year are:

2018/19 - direct supply £1.2m - agency staff £3.2m

2019/20 – direct supply £1.2m - agency staff £3.5m

2020/21 so far – direct supply £1m - agency staff £1.7m

The current financial year spend only covers 10 months as the year has not ended yet, but this will be substantially lower than previous years, likely due to the fact that schools have not been open as normal during the pandemic.

The Council does not hold information regarding the agencies used by schools or the unit costs of those agencies. Please note that the figures for agency spend also includes non-teaching agency staff as this is not separated out in financial information, we receive but it is likely the majority of spend will be agency teaching staff.

Regarding the Council's Plan commitment around reintroducing a LA support teacher service, work has been undertaken to scope out a high level range of options in relation to this commitment and the next stage will be to engage with teaching unions and headteachers including gauging interest from schools and researching the costs and usage of using agency supply teachers in schools to understand the implications and benefits of an in house service and what the costs would be of different options.

(6) Councillor Williams – No Recourse to Public Funds:

124.12 Why has Brighton & Hove City Council been tangled up in court battles with regard to 'no recourse to public funds' rough sleepers? Can you explain the outcome of the recent court judgement and what Brighton & Hove City Council will be doing in the future for this vulnerable group?

Reply from Councillor Hugh-Jones, Joint Chair of the Housing Committee

124.13 Many thanks to Cllr Williams for her question which is no doubt for the benefit of anyone who missed my chair's communications at March Housing Committee.

NRPF refers to those who have had a no recourse to public funds condition imposed on their grant of limited leave to remain or enter the UK, or whom are failed asylum seekers. The NRPF condition does not, prior to 31 December 2020, apply those who are exercising an EU right to reside under the Immigration (European Economic Area) Regulations 2016 (as they do not need permission to enter or remain section (7(1) Immigration Act 1988)) or, post 31 December 2020 those that have a retained enforceable EU right through the EU Settlement Scheme.

There has been some discussion in the press recently of a case concerning a failed asylum seeker in Brighton who sought accommodation under the "Everyone In" scheme.

At the time the claim was initiated, the individual had not yet applied for accommodation via the Home Office, which in the view of the Council was where the primary statutory duty arose. The court accepted that argument at the first hearing, and he was eventually accommodated by the Home Office, where he remains.

The case then moved to be on a point of law which was in essence whether LAs had power to accommodate people with NRPF. The Claimants were seeking a direction that we had acted unlawfully by not considering that power. The court chose not to make that declaration. The council's argument was this was all academic since he was by now accommodated and it had not acted unlawfully but had followed the express position of the government that the position on NRPF remained.

A letter from the government dated 22 September reminded us that "Local authorities must ensure that any support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002)"

Many councils, including BHCC, called for suspension of these provisions for at least the duration of the pandemic but the government refused. This has been the root

cause of problems locally and we continue to push government to reconsider their inhumane approach to those who are restricted by the national immigration and asylum act.

What the court has concluded is that where there is a danger to life and limb- and where other duties (such as that of the Home Office) cannot resolve it- then there is a fact-specific power to accommodate.

We would ideally like the MHCLG to now clarify that where LAs are exercising such a power it falls within the funding allocated for "Everyone In" accommodation but we certainly welcome the court judgment on the point that we have powers we can use where it is appropriate. This is the minimum we want to see government offer councils to ensure better protection for those in need.

In addition to very limited powers the council may have, following careful consideration of individual circumstances, it is recommended that individuals consider applying directly to the Home Office for relief and that the council signposts to other specialist dedicated sources of support. As you will be aware, Housing Committee have also recommended that council officers work with the local community and voluntary sector organisations to provide clear information for rough sleepers with NRPF who the Council cannot accommodate, including sources of support and assistance.

Beyond this case, Green Councillors have slammed 'discriminatory,' rule changes that could see migrants deported if they become homeless, saying new rules will harm and undermine vital homelessness prevention work in the city.

Changes to immigration rules means rough sleeping can now be considered a basis for refusal, or cancellation, of permission to remain in the UK. Greens join many other political parties, homelessness and migrant support organisations in condemning the rule changes, affirming that work to help vulnerable rough sleepers in the city find secure accommodation will continue.

(7) Councillor Williams – Madeira Drive:

124.14 There is chaos on Madeira Drive. Pedestrians cannot socially distance due to ridiculously narrow paths and are forced to take their lives in their hands by just trying take a much-needed walk. What is being done about this?

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

124.15 Madeira Drive was initially closed between Dukes Mound and the Palace Pier Roundabout to facilitate walking and cycling for local residents during the very first lockdown. Although the closure was generally supported there were concerns from traders and blue badge holders as access was limited to changing places facilities and the beach, there were also safety concerns as some vehicles were authorised to access the route without requisite enforcement powers being available to the Police to enforce speeding, conflicts between cyclists and pedestrians or other traffic violations under the closure Traffic Order..

As on the 29th September, last year, approval was granted to commence detailed-design and the Traffic Regulation Order process to re-open Madeira Drive one-way eastbound, to improve Blue Badge access and parking capacity and to relocate the cycle track from the footway promenade onto the carriageway, therefore safely segregating cyclists from pedestrians, to improve both cycle capacity and pedestrian provision.

The first stage of delivering these improvements took place in October last year and has seen the re-opening of Madeira Drive one-way to address access issues for traders and blue badge holder as well as some of the immediate safety and access concerns. The Council are currently implementing the second phase of the approved scheme. This second phase will provide a clearly dedicated two -way, accessible cycle facility on the southside of the carriageway with reallocated parking. In relocating the cycle route onto the carriageway more space will be allocated to pedestrians and localised pavement widening will provide better pedestrian facilities enhancing social distancing opportunities.

These improvements are currently in their construction phase with planned completion in May.

The scheme itself will be implemented under an Experimental Traffic Order which will be advertised on the Councils webpages and on the highway once the construction phase is complete this will allow a further 6 month consultation opportunity before the results are reported, along with recommendations, to the appropriate Environment Transport and Sustainability Committee.

Furthermore, the Madeira Drive improvement scheme links directly with the Dukes Mound Development scheme which proposes further pedestrian enhancements including a formal pedestrian crossing on Madeira Drive at the east of Dukes Mound and localised footway widening.

To support these changes to Madeira Drive a Traffic regulation Order will be advertised proposing a reduction in the speed limit from 30miles per hour to 20 miles per hour, along the entire route between Palace Pier roundabout to Black Rock.

(8) Councillor Williams – Housing Dispute:

124.16 The dispute with housing repair workers transferred over from the former Mears contract has been rumbling on for some time. Can this council confirm that the present Administration is not anti-union and explain why this dispute is taking so long to resolve?

Reply from Councillor Gibson, Joint Chair of the Housing Committee

124.17 My thanks once again to Cllr Williams for bringing this question for the benefit of those unable to attend March's Housing Committee and for stepping in for Cllr Platts to sit on the recent Policy & Resources Committee which signed off the agreement reached.

The dispute related to a pay dispute that GMB lodged with MEARS before the transfer. That dispute transferred to the council when the service came in-house. There were some complex issues to resolve, and throughout 2020 there were detailed and constructive discussions with GMB to reach an agreement that maintained fairness and equality in our pay arrangements and resolved the dispute. Agreement was reached in January and an announcement made to that effect on the Council website on 26 January. Certain aspects of the harmonisation process then had to happen before the agreement could be signed off by Policy & Resources Committee – which, as you know, happened earlier this month.

We are now moving to implement the agreement, and to make an offer to all transferred staff to move onto council terms and conditions if they choose to do so. This process involves individual and collective consultation, but we are really pleased that all staff received offers of council terms and conditions by 19th March. We are currently carrying out extensive discussions with staff to ensure all questions are answered about council terms, ahead of 1st April when individuals will decide whether to accept the offer. As has been the case throughout, staff can choose to stay on their Mears terms and conditions if they feel these are more advantageous to them.

I am not sure what has prompted the enquiry about this administration being “anti-union”. I can absolutely confirm that this administration is not anti-union. Throughout the dispute, Cllr Gibson and I have sought to appreciate the union’s concerns and help break the deadlock. We were clear from the outset that we wanted to understand the history of the dispute, that emerged before our administration but also to listen to unions and work constructively to resolve it. We have had three or four in-person meetings (which, incidentally, is three or four more meetings than I have had with any member of my own family this last year) as well as a number of remote meetings with officers present and regular phone calls. Indeed, if there is any criticism to be made, it would probably come from officers who may feel we have been too “hands on”. Nevertheless, these meetings helped to highlight further issues and progress finding solutions. Far from being anti-union, we consider our unions to be a cornerstone of workers’ rights and many of our green group of councillors are members of unions or former employees in the trade union movement. Indeed it is Green Party policy to go far beyond mere support for trade unions: among many policies we advocate for that would give unions a greater role, we want to see every worker given the legal right to be represented by a trade union in dealings with their employer, no matter the sector; we want legislation that would mean all employers are legally obliged to recognise unions; we oppose and seek abolition of conditions and loopholes that unfairly restrict statutory union recognition. We also want to see the provision of education on the benefits of trade unions, in schools and in the community, so that people can learn of the benefits of unions. It is patently clear that the Conservative government has sought over many years to restrict the role of unions – moves we oppose.

More generally, we are committed to retrofitting the council’s own housing stock and encouraging homeowners and landlords in the city to do the same. This should create hundreds of new skilled jobs and potential new union members, so I look forward to continuing to work constructively with all unions over the coming years, and with our brilliant housing staff. Now the dispute is resolved we are looking forward to a more proactive engagement with unions to achieve our ambitious joint housing programme and expanding employment and apprenticeship opportunities.

(9) Councillor Moonan – Vaccination Uptake:

124.18 What has been the percentage vaccination uptake rate for the top 4 government priority groups in Brighton & Hove specifically, for the last three months? Why has there been a delay in meeting the 90% target rate for the over 80 age group? What percentage rates of Black and minority ethnic groups have accessed vaccinations across Brighton & Hove as a whole and at ward level, and how does this compare to national averages?

Reply from Councillor Shanks, Chair of the Health & Wellbeing Board

Across the Sussex COVID-19 vaccination programme, significant progress has been made since the programme launched in December, and thanks to the hard work of vaccination teams across all services thousands of people within our communities have been vaccinated. We achieved the first milestone in February to offer the vaccination to everyone in the first four priority groups, and we are on track to have now offered the vaccination to everyone in the nine JCVI priority groups by mid-April in line with the Government target.

In Brighton and Hove, more than 113,500 vaccinations have been delivered to residents in the city to date, including 109,000 first dose vaccinations. In the priority group of those age 80 and above, more than 87.9% of the population have now received their first dose, and appointments are starting to take place for second doses.

In terms of the uptake across the first four priority groups, there is publicly available data updated weekly by NHS England setting out the percentage uptake and the ethnicity of those vaccinated. The release of reportable data is controlled by the NHS. It is anticipated that the Council will provide some of the uptake data at Medium Super Output Area level on the Covid local statistics website. Across all four cohorts, the uptake within the public priority groups is higher than 80%. This data now brings those aged 80 and over together with health and social care workforce as a combined figure for cohort 2, and as a result demonstrates the need for continued focus across all partners to further uptake amongst care staff. Specific actions being taken here include direct contact with care homes and individual staff members to address concerns on a 121 basis.

We recognise from the data that there are some communities in Brighton and Hove where uptake could be higher, and this links to areas of deprivation and BAME communities. Targeted outreach work is taking place in the city to address hesitancy and challenge barriers such as transport and access. A roving service, with a team in an ambulance, is visiting communities and a bus is expected to go live this month. These models are working directly with communities to provide supportive environments for those eligible to receive their vaccination and since they launched at the end of last week, we are already seeing positive engagement and an increase in vaccinations. The NHS and Brighton & Hove City Council is also working together on a focused communication campaign to promote the vaccination programme, increase uptake and provide a range of materials tailored for communities across the city.

(10) Councillor Janio

124.19 Has a Safety Audit been completed for the Temporary Cycle Lanes on the Old Shoreham Road?

a. If a Safety Audit has been completed, are the published plans for work along the Old Shoreham Road designed to reverse any negative findings within the report?

b. If a Safety Audit has not been completed – why not?

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

Yes, I can confirm that a Road Safety Audit was undertaken, however it didn't identify any major concerns, although it did include a few recommendations to improve safety along the cycle route such as improved signage which has been carried out, there are also longer term improvements that will be considered should phase 2 of the Scheme go ahead.

(11) Councillor Janio

124.20 Has a 'Sustainability' report been completed for the Temporary Cycle Lanes on the Old Shoreham Road and, given the increase in traffic congestion at the junctions, why have portable pollution monitors not been placed along the Old Shoreham Road to detect any increase in emissions, which are certain to increase to even higher levels than those reported now, as we move out of lockdown?

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

124.21 There was no specific requirement for a sustainability report for the temporary cycle lanes and therefore no air quality data is currently available, however officers are arranging permanent monitoring areas along the Old Shoreham Road and will be put in place in the near future. We want to provide residents safe areas where they can choose safe and sustainable transport to help improve safety and air quality. We have evidence that this works from many transport schemes nationwide. by creating a safe, sustainable alternative to the car, while this can create an initial increase in traffic, in the medium to long term it creates safer and cleaner streets. As people find that alternatives to the car like walking and cycling improves health, improves fitness, improves air quality, improve the safety of our streets and our city.

(12) Councillor Janio

124.22 Does any government 'Emergency Covid Guidance' exist that allows for Sustainability Assessments to be either not completed or ignored whilst designing and implementing local transport schemes?

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

124.23 We are not aware of Sustainability Assessment guidance contained within current Emergency Covid Guidance. However, it is worth noting that the Active Travel measures that have been implemented are by their very nature an attempt to provide more sustainable travel choices and improve our streets long term.

(13) Councillor Janio

124.24 To be certain that the proposed permanent cycle lanes on the Old Shoreham Road will not lead to even greater increases in gaseous and Carbon emissions, have officers suggested to councillors within the administration that a monitoring plan of the currently configured temporary cycle lanes should be considered, once lockdown has ended, before the temporary scheme is made permanent?

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

124.25 No current plans exist to make the temporary scheme permanent and will need to undergo further consultation if plans and funding emerge. The cycle lanes along Old Shoreham Road were put in place as emergency works as part of providing additional active travel capacity during the Covid-19 lockdown, however we will have more time to assess the impact of any further measures. We have just finished consultation with thousands of residents across the city, for which officers are currently assessing the feedback for and monitoring plans will be in place for any further alterations. Officers will put their findings together which will be presented to ETS Committee and put to a vote. However, as I say, any permanent plans for these improvements would need further consultation and not be part of this process.

Following a great deal of interest in transport data for the Old Shoreham Road, I would like to clarify the situation from the council.

The council has in place permanent cycle counters on the Old Shoreham Road, these are located at Avondale Road (Site 974), The Upper Drive (site 975) and Aldrington Avenue (site 976). Site 976 was put in place in September 2020, the other two sites have been in place for a number of years. The data for all of these sites is available publicly and can be found on our website by searching ‘traffic counts’ to navigate to the traffic count webpage and then clicking on the Google Map link.

Following a recent Freedom of Information (FOI) request, we provided the enquirer with the data the council holds for these permanent cycle counters in this area. This is the standard procedure for requests. Due to IT issues with obtaining and analysing the data from the data provider, this data took longer than expected to obtain and the response was unfortunately late.

The council also occasionally collects temporary cycle count data for scheme-specific purposes, this is not collated centrally or published in the same way as the permanent count data. The Department for Transport (DfT) also carry out traffic counts nationally, these are published on their website. For the Old Shoreham Road, DfT had carried out a temporary (7-day) traffic count near Lullington Avenue in June 2016. The council had also carried out a temporary (7-day) traffic count at Lullington Avenue in July 2020.

These datasets were not originally provided with the FOI response however we have since apologised and sent this data to the enquirer. The data from these datasets has been used to show levels of cycling along Old Shoreham Road – from 339 cyclists per day on average in June 2016 to 545 cyclists per day on average in July 2020 – a 61% increase in cycling levels. This data has been used in council documents including the Tranche 2 bid for the Emergency Active Travel Fund (EATF) in August 2020, and the September 2020 report for the Environment, Transport and Sustainability (ETS) committee alongside a range of other data.

Regarding the Tranche 2 EATF bid, the figures from the temporary cycle counts were used. While some key information was included in the bid (number of cyclists per day in 2020 compared to 2016), some of the specific details of the cycle counts (specific dates, duration and specific location of counts on the Old Shoreham Road) were omitted. This was an unintentional oversight and it was therefore entirely appropriate for us to go back to DfT with these clarifications, which we have now done.

All of the data mentioned has been accurate and we have in no way intentionally withheld or manipulated data.

Now that we have successfully received funding from DfT for the Active Travel Fund, we are developing further plans for comprehensive monitoring of schemes in future, which will be funded by DfT.

(14) Councillor Wilkinson

Cycle Hangars

124.26 Are there any plans to install cycle hangers across the city and if so how many cycle hangars will be installed/are estimated to be installed across the city in 2021/22, 2022/23 and 2023/24 and could you explain what the methodology is of choosing locations for those cycle hangars?

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

124.27 At Budget Council a £500k capital allocation was provisioned for priding circa 100 Bike Hangars across the City, alongside a £20k revenue allocation to develop a Business Case and methodology for the proposed rollout and potential future capital and revenue implications for providing these facilities. Further details relating to rollout and locations will be identified following allocation of a project officer and completion of the Business Case.

(15) Councillor Wilkinson

Funding for Green Spaces and Growing Projects

124.28 I am keen to ensure that areas in my Central Hove ward get proper funding for green spaces and growing projects that benefit the whole community. Can you provide details of planned investment, including the use of section 106 monies, in any green spaces and projects in my ward in the coming year?

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

124.29 Cityparks provides maintenance to public areas across the city as evenly as possible. In the Central Hove Ward this includes Hove Lawns and the grass verge on Grand Avenue.

An officer met with Councillor Claire Moonan last September 2020 to explore green spaces improvements and identified two potential schemes which require a Project Officer to progress.

Cityparks are currently recruiting two new Project Officers this April to assist with the expenditure of section 106 money and who could directly assist with your Ward.

We would hope that once the Project Officers are in post, an agreed improvement plan can be developed, along with a timetable for delivery.

Unfortunately, at present it is capacity that slows down identifying funding, developing projects and implementation initiatives which Cityparks are sure all Councillors can appreciate.

Cityparks have successfully recruited two new tree officers to assist with tree planting. This additional resource working with the Plant Your Postcode initiative and others, may also provide an opportunity for tree planting to the streets of Central Hove.

(16) Councillor Wilkinson

5G Upgrades

124.30 Will the Council ensure that residents living near telecommunications aerials are fully informed, even when their consent is immaterial, before any upgrade to 5G?

Reply from Councillor Littman, Chair of the Planning Committee

124.31 Under planning rules, the installation of telecoms equipment may not always need permission, some can be installed under what is called permitted development – this is when planning permission is not required. In such circumstances, though the operator does notify the Local Planning Authority, there isn't a requirement to notify neighbours. I can confirm that officers have agreed to explore the option of displaying a site notice in these circumstances to make residents aware of the notification. It will also need to make clear, however, that there is not a right of objection under government rules.

The two other categories are prior approval and full planning permission, both of involve consultation rules set nationally and expanded on locally in the adopted Statement of Community Involvement.

So, for planning applications and prior approvals – normally required for larger installations - letters are sent to residents adjacent or immediately opposite, a site notice as displayed and the proposal will be in the weekly list of applications. If the application is in a Conservation Area it will also be listed in the Evening Argus.

125 ORAL QUESTIONS FROM COUNCILLORS

125.1 The Mayor noted that 17 oral questions had been received and that 30 minutes were set aside for the duration of the item. The Mayor then called on Councillor Platts to put her question to Councillor Osborne.

125.2 Councillor Platts asked the following question the developers of the Brighton Gas Works Site are proposing to build 6 to 7 hundred homes and state that this development will contribute to the local housing need of 13200 homes. However, they have so far been unable, or are unwilling to say how many of these will be affordable. What will the Leader of the Council do to ensure that any future development of the site can include 40% of the housing that is genuinely affordable to local people?

125.3 Councillor Osborne replied, I know it is a particular question to the Leader of the Council, what I can say is that we have targets that we will try to meet and it depends on the particularly planning application once it comes in, and that planning application hasn't come in as of yet. We are waiting for that to come in in the summer and once it is in we will be able to assess that and do our best to try and push the developer into giving as much affordable housing as is possible. If it is a particular question to the Leader of the Council, and what he is going to do, I am sure that he can give a written response to you afterwards.

125.4 Councillor Platts asked the following supplementary question, Local residents are very concerned that current for the gas works site will be overdeveloped and marketed to line the pockets of overseas investors and property speculators who will leave properties empty for much of the year creating a monolithic and soulless environment. How does the Leader of the Council think that the proposed development will benefit the local community?

125.5 Councillor Osborne replied, Again, as this is a specific question to the Leader of the Council, I am sure you can get a response. But it is National Planning Policy Framework which the Council has to abide by as well as the Local Plan and so it depends exactly what happens with that application once it is brought in and that can be scrutinised and whoever is actually coming in to i.e. the inhabitants and how the developer fills that application as per the Housing Strategy but it is the National Planning Policy Framework that we have to stick by.

125.6 Councillor Bell asked the following question, Given the shear level of frustration and anger which we have seen tonight and I am sure all of us have had in our emails, upset by parents and pupils alike over the issue of the misplaced 62. Given the long period over which councillors of all parties have worked together on this subject in good faith, what more should have been done? What could still be done to keep parents appraised of the likely situation they find themselves in and fast can we deal with the appeals?

125.7 Councillor Clare replied, on appeals it is an independent process which we don't have much say on I am afraid, but I am sure that the independent appeals process will be dealt with very promptly. In terms of what can be done at this stage I have seen a letter

which I can forward to you that the Brighton & Hove Inclusion Service have sent or are going to send to affected families outlining the support that they can give them and making sure that they put that right support in place now. As I have also said officers will organise a meeting with affected families over the coming weeks to discuss with them so that will be in place. We have looked at how officers dealing with school admissions queries can respond in a consistent way as well and I will ask them to make sure they are doing that, and, of course, if any families do have any things that they can specifically say that wasn't on their original application that would mean that they would fit into one of the priority categories when we do the re-allocation we can do that. The admissions booklet did highlight the risk of catchment areas in multiple places and parents were asked to confirm that they had read that when they applied but I think right now we need to look to the future so as your colleagues have said, we have agreed on the cross party working groups that we will look at catchments in the future and there will be a paper coming to June's CYP Committee on how we consult that in a clear, transparent and effective way and I look forward to being able to share that with colleagues.

125.8 Councillor Bell asked the following supplementary question can Councillor Clare explain why we have 15 children from Brighton & Hove being schooled outside the city in Peacehaven & Seahaven Academy but we have 45 East Sussex residents who are sending their children to schools in Brighton & Hove who come from Peacehaven, Newhaven and Seaford? At least in the spirit of community the children can wave at each other as they pass each other on the buses. How has this been allowed to happen, bearing in mind the misplaced 62?

125.9 Councillor Clare replied, we work with East Sussex across the border to provide places and look at the parental choice that people have put in place so I don't know on this specific example. I do know that students in East Sussex have been offered places within our schools, that is something that we do every year. I think perhaps schools may have been under subscribed and had places, but I am happy to look into it as I can see it is a ward issue for you with officers and get you a written response as I am not clear on the detail on that.

125.10 Councillor Wilkinson asked the following question, at the ETS Committee on Tuesday 29 September 2020 Labour called for a pause on the further urgency transport measures across the city to allow for meaningful consultation, so that local residents can have their say and influence the next round of changes. We said that we need to consult with all our residents, businesses and stakeholders on the current temporary transport changes as well as the potential future changes to roads, such as The Old Shoreham road. I am pleased that this pause occurred, and that consultation took place and concluded on1 4 March this year. Can you please update me, and the city, on the progress being made to collate the findings of the consultation and will you agree to present these at the earliest opportunity?

125.11 Councillor Lloyd replied As you know, we approved the Consultation Plan for the Active Travel Fund schemes at a Special Meeting of the Environment, Transport and Sustainability (ETS) Committee in December. Following this, a consultation took place from 1 February 2021 to 14 March 2021 (6 weeks), the consultation covered four of the active travel schemes including the two temporary schemes on Old Shoreham Road and the Seafront. This consultation has now closed, and the results are quite

extraordinary there are over 5,000 responses and they are still being collated so we don't have any results yet. The results will be presented to the ETS committee on 22 June 2021 and we will decide then how to proceed based on that.

125.12 Councillor Wilkinson asked the following supplementary question, it is absolutely right that our residents are re-assured that their voices have been listened to in this consultation, that meaningful consultation has occurred they need to know this. Therefore it is with concern I read in the press today that Brighton & Hove City Council has written to the Government to say it was an unintentional oversight to not include dates used in a claim that The Old Shoreham Road cycle lane has seen an increase in use. The Council said, "we were made aware as we said in our original bid that we hadn't included certain clarifications, date, duration and location of counts, were quoting for The Old Shoreham Rd". I must add that the press reports quote the Council "it is therefore entirely appropriate to go back to the Department of Transport with these clarifications which we have now done". Do you agree that some residents in our city have concerns as to how data has been presented on this matter and that confidence in the recent consultation may be seen by some to be undermined by these events. And can you give further assurances that such oversights will not occur going forwards?

125.13 Councillor Lloyd replied, I think it is very disappointing because there has been absolutely no manipulation of data and the data is accurate. The Council has collected temporary cycle lane data from traffic schemes for a long time. It is not collected centrally or in the same way as permanent count data. The Dept For Transport also carries out traffic counts nationally, and these are published on their web site. For The Old Shoreham Road the DFT has carried out temporary seven day traffic counts, on Wellington Avenue in 2016 and the Council also carried out a seven day traffic count at the same place in July 2020.

125.14 Councillor Nemeth asked the following question, when consulting on emotive subjects, the mark of a successful consultation is a high response rate, and a clear outcome and Councillor Peltzer Dunn and I found this out when we carried out the City's most comprehensive ever parking survey in our own Ward. The response rate was over 50% and the answers were clear, comment boxes were full. Given that there are a staggering 24 questions just on the Old Shoreham Road cycle section of the Council's 'Changes to Travel and Transport in the City Questionnaire, and not a single question that will give data on whether people actually want the lane, I am expecting an abysmally poor response rate and an unclear outcome. So, bearing in mind the response rates of over 50% are achievable what sort of eligible respondents replying will you be able to market success on this one?

125.15 Councillor Lloyd replied, I would say 5000 people responding is a very good response rate and I think it is one of the most successful response rates we have had from a consultation. I would also need to remind everyone that consultation is not a referendum. If we are given £2.6m to put down optic cable of course there would be consultation about it, but the question shouldn't be should be have fibre optic cable or not, it should be an absolute given that children have safe cycle routes to school and it is amazing that we are having to debate it, and even defend it. I think the consultation has been extremely wide-spread and I will need to re-iterate, we were never consulted on Traffic into the City, 75 million extra miles driven since 2010 in the city. We have

consulted on the active traffic schemes and we will be reporting those to the June ETS Committee.

125.16 Councillor Nemeth asked the following supplementary question, sounds like the response rate is going to be in the low single figures but my supplementary, and it might have been pre-empted is – Was not asking people if they actually wanted the changes, as proposed by the Conservative group an oversight or was it deliberate.

125.17 Councillor Lloyd replied, there was no deliberate, what we did was provide consultation and we used the BFT Framework and we shared this with ETS Committee and it was signed off and therefore we were very happy with the consultation and the way it was formed and it was designed so that people could give constructive feedback about the projects i.e. it was not a question "Should we have safe cycling and walking infrastructure for children and everyone else?" because that should be a given, it was about the actual 'nitty gritty' as to how those things should be delivered.

125.18 Councillor Fishleigh asked the following question, when will the bus services that are subsidised by the council be reviewed and can the ward councillors for Rottingdean Coastal be part of that process please?

125.19 Councillor Heley replied, current contracts are due to expire in September this year and A report is due to be presented at June ETS on the continuation of these services and to also provide an update on the bus market recovery from Covid-19 and yes, longer-term, there is an opportunity to review the subsidised services and ward members will be invited to be involved in this process

125.20 Councillor Fishleigh asked the following supplementary question, the report that is going to ETS in June, will there then be an opportunity at that stage to review the routes out here or do I have to wait for the longer-term review? You mentioned 2 reviews so now I am a bit confused.

125.21 Councillor Heley replied, I think there will be so we can chat about that before.

125.22 Councillor Janio asked the following question, from the responses to my written questions it is clear that extensive engineering work is being considered for the Old Shoreham Road and it is going need a lot of extensive safety mitigation measures which is agreed to in the written answers. Additionally, it appears that no sustainability report has been produced and this is incredible for a Green administration, no air quality data has been measured and there are no real plans to put any in place. Will you agree with me that the Old Shoreham cycle lanes have been a disaster for both the residents and the road users an, that the Old Shoreham temporary cycle lanes should be removed immediately.

125.23 Councillor Heley replied, no, I do not believe we should tear up the Old Shoreham Road cycle lane, I do not believe any cycle lane should be torn up. The provide a safe route for children to get to school, and we know children are using the Old Shoreham Road cycle lane to get to school. Admittedly few have in recent months because the schools have been closed. The principal remains which is 'for years traffic has dominated this city and many other cities around the UK and, as I mentioned earlier, traffic miles in the city have gone up by 75 million since 2010. The number of cars on

our roads have nearly doubled since 1990 and the cars themselves have become enormous. All of that happened without any consultation whatsoever. I believe, and so do my group, the Green group of councillors, believe passionately in the rights of anyone to be able to travel safely without the car if they want to and the Old Shoreham Road represents the piece in the puzzle of how we deliver safe cycling and walking infrastructure throughout the city, tearing it up will not solve that problem, it is part 1 of what should be a much greater plan, and that plan will involve a completely integrated cycling network that can be used by wheelchair users so that mobility cyclists aged 12 should get to one side of the city to the other safely, which is completely impossible at the moment, and will be even more impossible if we pull out cycle lanes just a few months after we have put them in.

125.24 Councillor Janio asked the following supplementary question, will you agree with me that given we are in the middle of a pandemic, robust resident consultation on the Old Shoreham Road has simply not been possible? We cannot knock on doors, councillors cannot go and ask questions, it is a fiasco. Will you please change your opinion on the cycle lane, but more importantly will you join me either a morning or evening to see the chaos that is on the Old Shoreham Road, the fights that have taken out, the pollution, have you actually been there when it is busy?

125.25 Councillor Heley replied, there are several questions there. I haven't seen any chaos I have been along the Old Shoreham Road a lot and I have seen quite a lot of families cycling up and down it. I do understand that a lot of drivers sit in traffic and don't see many cyclists go past, that is an argument that is used all over this country. I also understand that a lot of cyclists use the Old Shoreham Road and don't see the traffic chaos that you have talked about and I understand of course that there are two sides to this. I think it is wrong question saying the cycle lane causes traffic chaos, traffic chaos has been caused by the massive expediential rise in traffic in this country. We can't give people the option of very cheap subsidised public transport because concessive conservative councils have made that impossible. The only option we can give them is safe active travel infrastructure.

125.26 Councillor Henry asked the following question, what plans have been made to ensure rough sleepers coming to the city all the summer are helped into appropriate accommodation and services rather than tents on places like Hove Lawns and the Western Esplanade?

125.27 Councillor Gibson replied, the policy that we are operating is, and continues to be, and we hope to sustain it forever. Is that everyone anywhere it is legally possible. We have our outreach services and anyone who is rough sleeping, verified rough sleepers are being offered accommodation and will continue to be and we have been, under both Labour and Green administrations in our joint Housing & Homelessness Programme we have been conducting that policy and I am really pleased to say that it is having a great impact. The latest official figures for the number of rough sleepers in Brighton & Hove, and it is a bit behind because it was November 2020 had a rough sleeper count and estimate of 27 for the city which is the third largest reduction in the country outside of London. So great thanks to all the staff and people who worked really hard on that. For the first time in almost a decade we are out of the top ten highest numbers for rough sleeping. I think working together on our joint programme has helped that.

We shall continue with this approach, hopefully forever, so long as resources allow and at the moment resources are allowing.

125.28 Councillor Henry asked the following supplementary question, tents on the seafront are one part of something that needs to be solved in that area. I expect we are going to have a 'Staycation' boom and I want every tourist, visitor every family living in the city to come to the seafront and have a really positive experience and not to see vulnerable people in tents and also not to see litter, rubbish, recycling scattered all around the promenade and on the beach. Are preparations underway to get more rubbish, recycling, litter marshalls in place in time for a summer 'staycation' boom?

125.29 Councillor Gibson replied, I think we are all hoping we have a 'Staycation' boom. The concern in terms of tourism has sometimes been that there are too many tents in the city centre and there has been a recognition of that amongst council officers and work has been done in order to try and operate a streamline procedure which will help to deal with tents more efficiently and this has been recognised. This approach is now being consulted on with partner agencies and the community, including the homeless people. It is important to recognised, particularly in the summer that a lot of tent dwellers are not homeless people but people coming down for a holiday. It is also important to recognise that our approach is, and will remain, a welfare first approach, so first of all we have to understand who is there, make contact and ensure that their safety and welfare is prioritised and that won't change. I think you can probably look forward to some improvement on previous practise and more streamlined approach once it has been consulted on more widely, but reassured it will still be a welfare approach and also remind people that not every tent dweller is homeless, particularly under our 'everyone in' approach most homeless people have been housed in hotels and many have moved on into longer term sustainable accommodation which is a fantastic achievement.

125.30 Councillor Theobald asked the following question, it is very disappointing that this country is the dirtiest in Europe. It is disgusting how British people leave litter all over the place. I want to ask about the refuse recycling bins, because they are a big cause of litter being blown around because residents do not place rubbish and packaging securely inside the bins. This can be because they are full as they are not collected on time, as happens so often in Patcham and Hollingbury or because residents cannot be bothered to fold up their cardboard and place it inside the bins. Bins are also left on the pavement, which is a hazard. When the bins were first introduced it was made clear that rubbish and recycling would not be collected if left outside bins and there was a team following up the collection to clean up. Can we set up a task group to try and get our residents and visitors to keep Brighton & Hove tidy which would include looking at these issues, working with schools to change our culture to take this on and whether we can request Highways England to allow the council to install cameras on the bypass. The Council collects fines from those entering bus lanes charging for rubbish would make substantial sums for those not securing their loads or throwing litter out of car windows and would save on the cost of closing the road and clearing up.

125.31 Councillor Heley replied, I am happy to discuss what you envision a task force could be and that might be a very helpful way of bringing together all the work that is going on across voluntary groups as well as the council, so I would be interested to hear more.

125.32 Councillor Theobald asked the following supplementary question, I am pleased with that answer. Residents keep asking me when the A27 by-pass is going to be cleared of litter and I was told several months ago that this will be done very soon. Is there a date for this?

125.33 Councillor Heley replied, I believe we have had a bit of a breakthrough recently in terms of litter on the A27 because the main issue is communicating with Highways England and its' contractors for us to be able to access the areas as it is quite a dangerous thing to be doing. I believe that the new contractors have been quite co-operative with us which is really good news so we have been able to move on in the last few weeks and I am happy to get some more specific dates for the near future.

125.34 Councillor Nemeth proposed that an additional fifteen minutes be allowed so that further questions could be asked.

125.35 Councillor Simson formally seconded the motion.

125.36 The Mayor put the motion to the vote which was carried, and he therefore invited Councillor Appich to put her question to Councillor Gibson.

125.37 Councillor Appich asked the following question, we had an interesting progress report from Housing Officers at committee last week, part of that report dealt with bringing shared homes back into use and we were informed that just 17 homes were brought back into use during quarter three or 82 during 2021 against a cumulative target of 120, this is undoubtedly due to Covid. There are though many private sector vacant properties which may or may not be let and I would like to know how many there are, if we know, how officers are made aware of those, where we can report them if we suspect that a property has been empty for a while and what action officers can take to encourage landlords to re-let them?

125.38 Councillor Gibson replied, it is the kind of detail that I would recommend be put in as a written question because I am not going to be able to supply you with a lot of the exact details of the quality that you, rightly expect, so I will ask officers to supplement what I have to say.

The concern about the lower numbers of homes brought back in, which underpins your question I will share, and we have in our joint Housing & Homeless Programme a really ambitious target of 161. We are not going to make this, and we know why as you have said because of Covid. We will, hopefully, be able to get back on track. I know from my own ward there is a property that has been empty for 15 years which is a tragedy and we do really need to concentrate our efforts. I will send you a more detailed response.

125.39 Councillor Appich asked the following supplementary question, many empty homes, including private and council owned as well as council leasehold properties are being let and have been let as holiday homes or Airbnb. I suspect the new Covid rules which appear to allow self-catering holiday accommodation may cause an explosion of property being used in this way. What actions are being taken to identify this and how can we dissuade the use of homes in this way?

125.40 Councillor Gibson replied, similarly, I think it is a written question. A big priority at the moment, given the resources that we have is to make progress on empty council homes. We have about 100 more voids than we usually have and those are homes that will be let to people in desperate housing need and while the pandemic is still on we are putting our energies into trying to reduce that number as quickly as possible. In the long run we need to address all the issues you have raised, and we will get you a full and thorough answer and then you can come back to us on the detail.

125.41 Councillor Mears asked the following question the numbers in emergency accommodation during the pandemic has increased significantly from approximately 500 to 800 as per 17 March Housing Committee Report. What reassurances can you give that, due to the number, people are still able to access help and advice and services they need for their wellbeing and safety?

125.42 Councillor Gibson replied, you highlight a great increase which has been the right thing to do and has helped keep people off the streets and avoid evictions. We have a Welfare Officer team and it has been expanded slightly but I am concerned that it might not be sufficient to provide the support that is necessary. It is also much easier when there are placements in the city. We also have meetings between officers of B&HC and Lewes and Eastbourne on a regular basis to monitor the welfare concerns but nevertheless there are welfare concerns, there are regular meetings and it needs to be monitored and we are committed wherever possible to bring back people with the greatest welfare and needs into the city as soon as possible, in fact not to house them outside of the city, that was a policy that went through Housing Committee a few years back.

125.43 Councillor Mears asked the following supplementary question, as of 17 March Housing Committee meeting the council has accommodated over 300 people in emergency accommodation outside the city. The council has taken a range of accommodation in Crawley, Peacehaven, Newhaven and Eastbourne. With other towns along the coast now needing to free up their hotels for their tourist economy and the need to bring people back into the city what reassurances were given to Eastbourne Council when officers from Brighton & Hove attended their Scrutiny meeting yesterday to reassure them that we will be bringing people back into the city as quickly as possible to free up their hotels for their tourist economy?

125.44 Councillor Gibson replied, I have mentioned that it is not the desire, or policy to place people outside of the city in the first place, but there has been a huge increase of numbers and it has happened. We were able to report to the committee quite significant progress and that the numbers have been reduced in the last few weeks to the same number that they had increased to in September that was 131 from around about 200 a few weeks ago in terms of Eastbourne. The aim is to reduce further to the kind of levels that historically have always been the case in places like Eastbourne and Lewes. In a perfect world it would go to zero but to be realistic it is not a perfect world and we are expecting people to be made homeless from the end to the ban on evictions. That is the gaol and we are committed to meeting further with the councils at Member level and to keep the regular contact between officers to that end.

125.45 Councillor O'Quinn asked the following question, last year on 31 March the golf course at Waterhall was closed down for good and lockdown began on 23 March. There have

been more and more walkers up at Waterhall since then and an increasingly larger number of them walk on the old golf course. I have been most days to Waterhall since March and there have been golfers there as well, even during the very cold spell we had in February, thus I was surprised at the decision to remove the litter bins on the golf course as there are so many more people there due to the Covid pandemic. I understand that Cityclean might have issues with having to deal with the bins and empty them that were previously dealt with by the golf club employees. There is endless dog mess (doggy poo bags) and other litter on the old golf course. Please could you inform us as to what you intend to do to resolve this unsatisfactory situation on one of our most beautiful areas of the Southdowns?

125.46 Councillor Heley replied, as you know, following decisions to re-wild Waterhall changes are being made to manage the site as an open downland space rather than as a golf course. This includes aligning bin provision to other downland areas. This means some litter bins are being removed, or have been removed, except for a some which are close to the club house where they are easy to access for emptying. As per other downland areas, the expectation is that people manage their waste responsibly and take it home with them.

I have heard your concerns and I am happy to speak to Cityclean about getting some more dog bins specifically if that is the main issue.

125.47 Councillor O'Quinn asked the following supplementary question, could there be more notices up on the golf course about littering, dog mess

125.48 Councillor Heley replied, it sounds that we definitely need to discuss that. Some people would not want that because it might ruin the landscape so we would have to strike a balance, but I am happy to take that away.

125.49 Councillor Bagaeen asked the following question, if the pandemic has taught us anything it is that our Black, Asian and Minority Ethnic communities have been deeply affected by it. I am therefore deeply concerned that the council has left out those same BAME communities from the Climate Action work. Why is he council not actively reaching out to the BAME Community?

125.50 Councillor Mac Cafferty replied, it is fair to say that the Carbon Neutral Plan that was agreed by the ETS Committee and P&R Committee last week was seen very much as a first step and in any case alongside key parts of the Corporate Programme in any given year we want to do much more community participation. You are right in terms of the graphic and disturbing way in which BAME communities, not just hear, but across the country have been dramatically affected by the pandemic and, of course, we have to step up to the mark on what we are trying to do.

In relation to some of the work on this we have ratified exactly what is happening to BAME communities and that is why, for example, for the meeting of the TECC Committee there is a report coming on all the different strands of work that we are doing on the across the city. I think we need to acknowledge that the key part of the Climate Assembly was to come up with independent sourcing and to ensure a particular focus on BAME engagement and that is what has happened, but the work continues.

125.51 Councillor Bagaeen asked the following supplementary question, thinking about access to Green Grants, or grants to lower the energy use for these communities, why is the council not offering direct support to BAME communities to help mitigate the impact of climate change on their lives and livelihoods?

125.52 Councillor Mac Cafferty replied, I don't know who got what from the £100k of community grants that we have given out. I believe that they were awarded, if not at the last ETS Committee then the one prior to that. But that was specifically about trying to reach out to the different community groups as they represent different communities in the city. I know also that the City Council has been proactively supporting and reaching out to all sorts of organisations in the city, the BICP that my counterpart Cllr Powell has been doing excellent work as well and with everything in terms of the engagement with the community with the Community Advisory Group which met in the last few weeks as well. I am more than happy to continue the work and it is really important, for reasons that you rightly outline.

125.53 The Mayor stated that the additional fifteen minutes had expired, and he then adjourned the meeting for a refreshment break for twenty-five minutes.

125.54 The meeting was adjourned at 18.50 and reconvened at 19.15pm.

126 CITY OF SANCTUARY RE-ACCREDITATION

126.1 Councillor Powell introduced the report and stated that she hoped Members would fully support the Council's commitment to being a city of sanctuary.

126.2 Councillors Simson, Hugh-Jones, Evans and Peltzer Dunn all spoke in support of the report and the Council's ambitions which highlighted how Brighton and Hove was a city for all.

126.3 The Mayor then put the recommendation to the vote and called on the Leaders of each Group to confirm their position, along with the Groups and the Independent Members as follows:

Councillor Mac Cafferty stated that Green Group were voting in favour of the recommendation and this was confirmed by the Green Group;

Councillor Platts stated that the Labour Group were voting in favour of the recommendation and this was confirmed by the Labour Group;

Councillor Bell stated that the Conservative Group were voting in favour of the recommendation and this was confirmed by the Conservative Group;

Councillor Brennan stated that she was voting in favour of the recommendation;

Councillor Fishleigh stated that she was voting in favour of the recommendation;

Councillor Janio stated that he was voting in favour of the recommendation;

Councillor Knight stated that she was voting in favour of the recommendation;

126.4 The Mayor confirmed that the recommendation had been carried unanimously.

126.5 **RESOLVED:** That the City of Sanctuary Charter as set out I appendix 1 to the report be endorsed.

127 NEXT STEPS - ROUGH SLEEPING AND ACCOMMODATION DURING COVID 19 PANDEMIC AND RECOVERY

127.1 Councillor Gibson introduced the report and noted that it was hoped the Council would become the first authority to adopt a Homeless Bill Rights. He hoped that it would be fully supported by Members and that other authorities would follow the Council's lead.

127.2 Councillor Fishleigh moved an amendment to the recommendations which was formally seconded by Councillor Janio.

127.3 Councillors Hugh-Jones, Williams, Brennan, Phillips and Evans spoke in favour of the report and the commitment in the Rough Sleepers Strategy to develop a Homeless Bill of Rights.

127.4 Councillor Mears and Barnett expressed concerns over the proposals and suggested that further consideration was needed before a final decision was taken.

127.5 Councillor Moonan stated that she had some reservations in relation to how begging in the city could be tackled and noted that more tents were appearing in the city.

127.6 Councillor Gibson noted the comments and stated that points had been well-made, however he could not support the amendment and hoped that the recommendations would be approved.

127.7 Councillor Fishleigh requested that a recorded vote be held, and this was seconded formally by Councillor Childs.

127.8 The Mayor noted that a sufficient number of Members had indicated their support for the motion and therefore asked for a recorded vote t be taken.

127.9 The Head of Democratic Services noted that an amendment had been moved and put it to the vote:

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**		x		28	**Littman**		x	
2	**Appich**		x		29	**Lloyd**		x	
3	**Atkinson**		x		30	**MacCafferty**		x	
4	**Bagaeen**		x		31	**Mcnair**		x	

5	**Barnett**		x		32	**Mears**		x	
6	**Bell**		x		33	Miller			
7	**Brennan**		x		34	**Moonan**		x	
8	**Brown**		x		35	**Nemeth**		x	
9	**Childs**		x		36	**Nield**		x	
10	**Clare**		x		37	**O'Quinn**		x	
11	**Davis**		x		38	**Osborne**		x	
12	**Deane**		x		39	**Peltzer Dunn**		x	
13	**Druitt**		x		40	**Phillips**		x	
14	**Gibson**		x		41	**Pissaridou**		x	
15	**Grimshaw**		x		42	**Powell**		x	
16	**Ebel**		x		43	**Platts**		x	
17	**Evans**		x		44	**Rainey**		x	
18	**Fishleigh**	√			45	**Robins**		x	
19	**Fowler**				46	**Shanks**		x	
20	**Hamilton**		x		47	**Simson**		x	
21	**Heley**		x		48	**Theobald C**		x	
22	**Henry**		x		49	**Wilkinson**		x	
23	**Hills**		x		50	**Williams**		x	
24	**Hugh-Jones**		x		51	**West**		x	
25	**Janio**	√			52	**Yates**		x	
26	**Knight**		x		53				
27	**Lewry**		x		54				
							2	**48**	

127.10 The Mayor confirmed that the amendment had been lost by 2 votes to 48.

127.11 The Head of Democratic Services then put the recommendations as listed in the report to the vote:

		For	Against	Abstain			For	Against	Abstain
1	**Allcock**	√			28	**Littman**	√		

2	**Appich**			a	29	**Lloyd**	√		
3	**Atkinson**			~~a~~	30	**MacCafferty**	√		
4	**Bagaeen**		x		31	**Mcnair**		x	
5	**Barnett**		x		32	**Mears**		x	
6	**Bell**		x		33	Miller			
7	**Brennan**	√			34	**Moonan**			a
8	**Brown**		x		35	**Nemeth**		x	
9	**Childs**	√			36	**Nield**	√		
10	**Clare**	√			37	**O'Quinn**			a
11	**Davis**	√			38	**Osborne**	√		
12	**Deane**	√			39	**Peltzer Dunn**		x	
13	**Druitt**	√			40	**Phillips**	√		
14	**Gibson**	√			41	**Pissaridou**	√		
15	**Grimshaw**	√			42	**Powell**	√		
16	**Ebel**	√			43	**Platts**	√		
17	**Evans**	√			44	**Rainey**	√		
18	**Fishleigh**			a	45	**Robins**	√		
19	**Fowler**				46	**Shanks**	√		
20	**Hamilton**			a	47	**Simson**		x	
21	**Heley**	√			48	**Theobald C**		x	
22	**Henry**			a	49	**Wilkinson**	√		
23	**Hills**	√			50	**Williams**	√		
24	**Hugh-Jones**	√			51	**West**	√		
25	**Janio**		x		52	**Yates**	√		
26	**Knight**	√			53				
27	**Lewry**		x		54				
							31	**13**	**7**

127.12 The Mayor confirmed that the recommendations had been carried by 31 votes to 13 with 7 abstentions.

127.13 **RESOLVED:**

(1) That the Homeless Bill of Rights be adopted (as referred to in the Homelessness and Rough Sleeping Strategy 2020-25) as an aspirational document and as the standard against which the Council and its partners judge its policies and practices and outcomes;

(2) That a copy of the resolution is signed by the Leader and sent to FEANTSA to mark its commitment to the international movement of solidarity with homeless people;

(3) That it be agreed to commit to a process of continuous commitment, improvement and engagement to uphold rights of homeless people.

128 REVIEW OF THE COUNCIL'S CONSTITUTION

Note: The item had been withdrawn.

129 HEALTH & WELLBEING BOARD REVIEW: PROPOSALS FOR AGREEMENT

129.1 Councillor Shanks introduced the report which detailed proposed changes to the Health & Wellbeing Board and noted that the recommendations had been agreed at the Board meeting on the 23rd March 2021.

129.2 Councillor Moonan and Bagaeen spoke in support of the proposals and stated that it was felt that progress was being made and matters were moving in the right direction.

129.3 The Mayor then put the recommendations to the vote called on each of the Group Leaders to confirm their position as well as the Groups in turn and each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the recommendations and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the recommendations and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were in favour of the recommendations and this was confirmed by the Members of the Conservative Group;

Councillor Brennan confirmed that she was voting for of the recommendations;

Councillor Fishleigh confirmed that she was voting for the recommendations;

Councillor Janio confirmed that he was voting for the recommendations;

Councillor Knight confirmed that she was voting for the recommendations.

129.4 The Mayor confirmed that the motion had been carried unanimously.

129.5 **RESOLVED:**

(1) That the Homeless Bill of Rights be adopted (as referred to in the Homelessness and Rough Sleeping Strategy 2020-25) as an aspirational document and as the standard against which the Council and its partners judge its policies and practices and outcomes;

(2) That a copy of the resolution is signed by the Leader and sent to FEANTSA to mark its commitment to the international movement of solidarity with homeless people;

(3) That it be agreed to commit to a process of continuous commitment, improvement and engagement to uphold rights of homeless people.

130 MEMBERS' ALLOWANCES

130.1 Councillor Gibson introduced the report which detailed the recommendations of the Independent Remuneration Panel in regard to changes to the Members Allowances Scheme. He stated that he wished to thank the Panel members for their work and noted that the Policy & Resources Committee had considered the report at its meeting on the 18 March and made alternative recommendations.

130.2 Councillor Shanks moved an amendment on behalf of the Green Group which was formally seconded by Councillor Hugh-Jones.

130.3 Councillors Yates, Bell, Janio, Hugh-Jones and Druitt spoke on the matter and expressed various views in relation to the recognition of job-sharing roles within the Members Allowances Scheme, the need for any changes to remain cost neutral and for further discussions between the Groups on the proposed changes resulting from the amendment.

130.4 Councillor Gibson noted the comments and stated that he hoped a further report to the Policy & Resources Committee would be helpful and that in the meantime the amendment would be supported.

130.5 The Mayor noted that an amendment had been moved and therefore put it to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn and each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the amendment and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the amendment and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were against the amendment and this was confirmed by the Members of the Conservative Group,

Councillor Brennan confirmed that she was voting in favour of the amendment;

Councillor Fishleigh confirmed that she was voting in favour of the amendment;

Councillor Janio confirmed that he was voting against the amendment;

Councillor Knight confirmed that she was voting in favour of the amendment.

130.6 The Mayor confirmed that the amendment had been carried and therefore put the recommendations of the Policy & Resources Committee as amended to the vote. He called on each of the Group Leaders to confirm their position as well as the Groups in turn and each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the recommendations as amended and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the recommendations as amended and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were against the recommendations as amended and this was confirmed by the Members of the Conservative Group,

Councillor Brennan confirmed that she was voting in favour of the recommendations as amended;

Councillor Fishleigh confirmed that she was voting in favour of the recommendations as amended;

Councillor Janio confirmed that he was voting against the recommendations as amended;

Councillor Knight confirmed that she was voting in favour of the recommendations as amended.

130.7 The Mayor confirmed that the recommendations as amended had been carried.

130.8 **RESOLVED:**

(1) That the recommendations of the IRP in the original report and the comments regarding their encouragement to the Council to consider further information being shared regarding the nature and practical implementation of job share roles for Councillors be noted;

(2) That a report be brought to the next meeting of Policy & Resources Committee to detail which jobs could be job shared in any revisions to the Scheme;

(3) That pending a decision following the report mentioned in resolution (4) below, the following be implemented as an interim measure:

(i) The Scheme is revised to reflect that where a Member holds a role on a job share basis they are entitled to claim a 50% allowance for that role and that a maximum of two of two job share roles can be claimed for on this basis;

(ii) The Scheme is revised to make clear that a 50% allowance can be claimed for a job share Deputy Leader role in addition to a 50% allowance for a Chair of a policy committee role (which is a presumption in the Scheme and the chairing may be full time or a shared role;) and

(iii) The payments for those Councillors whose responsibilities meet the criteria under the revised Scheme are backdated to the date they were appointed.

(4) That an Options Paper be brought to the next meeting of Policy & Resources Committee to decide on any revisions to the Members Allowances Scheme with regards to car parking passes, and for the options to include; separating the two car park concessions, reducing them, for permits to be limited in number per political group, choosing to have permits for one site only, allowing Cllrs to make a larger monthly contribution for both car parks near the Town Halls or other suggestions which the IPR believe relevant.

130 (A) PAY POLICY STATEMENT 2021/22

130.9 **RESOLVED:** That the pay policy statement for 2021/22 attached at Appendix 1 to the report be agreed and adopted.

130 (B) 2030 CARBON NEUTRAL PROGRAMME, 18/03/2021 POLICY & RESOURCES COMMITTEE

130.10 Councillor Platts stated that she had requested the report be referred to the full Council for information as she felt it was an issue that all Members needed to support. She also wished to thank the officers involved in the work and the cross-party working group for their actions to date.

130.11 Councillors Fishleigh, Bagaeen and Mac Cafferty spoke on the issue and expressed the need for public engagement and support for the objectives outlined in the report. It was also noted that the Youth Climate Assembly had raised issues and were pushing for change which would ensure a better future for the younger generation.

130.12 The Mayor stated that the report had been referred for information and therefore should be noted.

130.13 **RESOLVED:** That the report be noted.

130.14 The Mayor noted that the meeting had been in progress for four hours and therefore he was required to move a closure motion. However, he was inclined to consult with the Leaders of the Groups and therefore would adjourn the meeting for a short break so that he could discuss matters with the Group Leaders.

130.15 The Mayor then adjourned the meeting at 21.06pm.

130.16 The Mayor reconvened the meeting at 21.25pm and invited Councillor Platts to move a motion.

130.17 Councillor Platts proposed that Standing Orders should be suspended to provide for one speaker from each Group to speak on the remaining items that were due for consideration.

130.18 Councillor Mac Cafferty formally seconded the proposal.

130.19 The Mayor confirmed that one speaker from each Group and any Independent Member would be able to speak on the remaining items and that where necessary the items would be seconded formally. He then put the motion as outlined to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn and each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Members of the Green Group;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Members of the Labour Group;

Councillor Bell stated that the Conservative Group were against the motion, and this was confirmed by the Members of the Conservative Group;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she was voting for the motion.

Councillor Janio confirmed that he was voting against the motion;

Councillor Knight confirmed that she was voting in favour of the motion.

130.20 The Mayor confirmed that the motion had been carried.

131 IMPACT OF COVID-19 ON CHILDREN & YOUNG PEOPLE

136.1 The Mayor informed the meeting that he had been informed by Councillors Yates and Littman of a request to withdraw their notices of motion listed as Items 131 and 135 respectively on the agenda and to replace them with a new composite notice of motion. He states that he was happy to accept the request and for the new motion which was listed in addendum 2 for the meeting to be taken and regarded as Item 131. In so doing, he was required to ask both movers of their motions to confirm their wish to withdraw the motions before putting this to the council for confirmation.

136.2 Councillor Yates formally requested that the motion listed as Item 131 on the agenda should be withdrawn.

136.3 Councillor Littman formally requested the motion listed as Item 135 on the agenda should be withdrawn and both motions then replaced by the new motion 131 as listed in addendum 2.

136.4 The Mayor noted the both motions were to be withdrawn and sought confirmation from the Council which was agreed. He then invited Councillor Littman to move the new motion 131 as detailed in addendum 2.

136.5 The Notice of Motion as listed in addendum 2 was proposed by Councillor Littman on behalf of the Green and Labour Groups and an Independent Member, Councillor Knight and formally seconded by Councillors Allcock and Knight.

136.6 Councillor Brown moved an amendment on behalf of the Conservative Group, which was seconded by Councillor McNair and accepted by Councillor Littman.

136.7 The Mayor noted that the amendment had been accepted and therefore put the following motion as amended to the vote:

This Council recognises and acknowledges:

1. The challenging financial, social, wellbeing and educational impacts the pandemic has brought to children, young people and households city-wide;
2. That additional Government funding (Emergency Assistance Grant) expires 31 March;
3. The significant support the city's services, community groups and the Government have provided to alleviate these impacts, including commissioning of money advice services, third sector funding, welfare support and housing benefit teams, to ensure families and individuals are supported;

Council therefore resolves to:

1) Join the Children's Society 'Funding local crisis support,' campaign by asking the Chief Executive to detail to government our support and concerns regarding funding ending 31 March;
2) Request the Chief Executive writes to Robert Jenrick MP, recognising the resources provided by the Government to date, and calling for long-term, dedicated Treasury funding to enable councils to provide a safety-net for the most vulnerable;
3) Request a report to a CYPS committee in this council year to outline the impacts of Covid-19 and lockdown on children and young people, and further support to mitigate these impacts including:
   a) Mental health and wellbeing support;
   b) Rebuilding young people's community support networks;
   c) Ensuring every child on Free School Meals has access to nutritional food through School Holidays, not just term time;
   d) Enabling greater access to existing council services through increased concessionary fees;
   e) Enabling free travel for young people across the city and learners with disabilities who attend college;
   f) Broadening out-of-school and after-hours educational support long-term, to address new and entrenched disadvantage.

136.8 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion as amended and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion as amended and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the motion as amended and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion as amended;

Councillor Fishleigh confirmed that she was voting for the motion as amended;

Councillor Janio confirmed that he was voting for the motion as amended;

Councillor Knight confirmed that she was voting for the motion as amended.

136.9 The Mayor confirmed that the motion as amended had been carried.

132 MOULSECOOMB PRIMARY SCHOOL

136.10 The Notice of Motion as listed in the agenda was proposed by Councillor Grimshaw on behalf of the Labour and Green Groups and formally seconded by Councillor Clare.

136.11 Councillor Knight spoke in favour of the motion.

136.12 The Mayor then put the following motion the vote:

This Council notes;

1) The Regional Schools Commissioners (RSC) Office has identified three trusts as potential academy sponsors for Moulsecoomb Primary;
2) An academy sponsor is due to be appointed by the RSC at a meeting on 25 March;
3) The trajectory of improvement Moulsecoomb Primary is on, following the 2019 ‘inadequate’ Ofsted judgement;
4) The recent Ofsted monitoring visit reporting that effective action is being taken with the school’s improvement plan described as ‘fit for purpose’;
5) The overwhelming support for keeping Moulsecoomb Primary within local authority control, with a ballot showing 96% of parents were opposed to academisation;

This Council therefore:

1) Reaffirms its commitment to stand by parents, staff, unions and community in opposing the forced academisation of Moulsecoomb Primary, as there should be no academisation without community consent;
2) Requests the Chief Executive writes to the Secretary of State for Education, urging them to revoke the academisation order on Moulsecoomb Primary and requesting an urgent reinspection to enable the school to demonstrate its ongoing journey of improvement;

3) Requests the Chair of the Children, Young People & Skills Committee to call a special meeting to consider the need to conduct a further urgent ballot of parents and carers of children at Moulsecoomb Primary on whether they are in favour or oppose the forced conversion of the school to an academy trust selected by the RSC; and

4) Requests the Council's School Improvements team continue to support the school on its journey to being a 'Good' school.

136.13 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative wished to abstain from voting on the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she wished to abstain from voting on the motion;

Councillor Janio confirmed that he was voting against the motion;

Councillor Knight confirmed that she was voting for the motion.

136.14 The Mayor confirmed that the motion had been carried.

133 CLIMATE AND ECOLOGICAL EMERGENCY BILL

134.1 The Notice of Motion as listed in the agenda was proposed by Councillor Heley on behalf of the Green Group and formally seconded by Councillor Mac Cafferty.

134.2 Councillors Wilkinson and Bagaeen spoke in favour of the motion, although Councillor Bagaeen stated that the Conservative Group could not support it due to the inability to meet the challenges and need for financial support to be identified.

134.3 The Mayor then put the following motion the vote:

Council notes that we have cross party**,** declared a climate and ecological emergency, hosted the city's first climate assembly and youth climate assembly and have published our first Carbon Neutral programme. Council also notes that there is a Bill before Parliament—the Climate and Ecological Emergency Bill (published as the "Climate and Ecology Bill")—according to which the Government must develop an emergency strategy to limit global temperature increase to 1.5 degrees C above pre-industrial levels. [1]

Council therefore resolves to:

- Support the Climate and Ecological Emergency Bill, through encouraging local MPs to support this bill in Parliament, and through writing to the CEE Bill Alliance,

Further, council also resolves to:

- Continue cross party work on climate by pledging to join the UK100, the alliance of local government leaders for cleaner, more powerful communities. This pledge asks councillors to:
  - pledge to assess our largest impacts on climate change, prioritise where action needs to be taken and measure and monitor progress towards targets.
  - reduce our emissions at source and limit the use of carbon offsets as part of the global effort to avoid the worst impacts of climate change;

Continue cross party work to ensure Carbon Neutrality by 2030, including through joining lobbying calls of the UK100 partnership of local government.

137.4 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were against the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she was voting for the motion;

Councillor Janio confirmed that he was voting against the motion;

Councillor Knight confirmed that she was voting for the motion.

137.5 The Mayor confirmed that the motion had been carried.

134 NHS WHITE PAPER AND PUBLIC INVOLVEMENT

134.1 Councillor Peltzer Dunn moved a point of order and sought clarification with regard to the first bullet point in the motion and whether the Council was in a position to instruct Group Leaders to take action.

134.2 The Monitoring Officer confirmed that Council could only request Group Leaders to consider taking action and suggested that the bullet point be amended accordingly should the amendment be carried.

134.3 The Mayor noted the advice and stated that should the amendment be carried then the motion would be revised to reflect the required change of wording.

134.4 The Notice of Motion as listed in the agenda was proposed by Councillor Shanks on behalf of the Green Group and formally seconded by Councillor Nield.

134.5 Councillor Grimshaw moved an amendment on behalf of the Labour Group which was formally seconded by Councillor Evans.

134.6 Councillor McNair moved and amendment on behalf of the Conservative Group which was formally seconded by Councillor Bagaeen.

134.7 Councillor Nield confirmed that the Green Group would accept the Labour amendment but could not accept the Conservative amendment.

134.8 The Mayor noted that the Conservative Group amendment had not been accepted and therefore put it to the vote and called on the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were against the amendment and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were against the amendment and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the amendment and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting against the amendment;

Councillor Fishleigh confirmed that she wished to abstain from voting on the amendment;

Councillor Janio confirmed that he wished to abstain from voting on the amendment;

Councillor Knight confirmed that she was voting against the amendment.

134.9 The Mayor confirmed that the amendment had been lost.

134.10 The Mayor noted that the Labour amendment had been accepted and therefore put the following motion as amended to the vote:

Council notes the publication of the NHS White Paper. We welcome the recognition of the importance of place-based care, despite no long-term funding solution for adult social care but we ask for thorough consultation on the changes proposed.

The White Paper recognises the critical role of local government to the health and wellbeing of our communities, but proposes new powers for the Secretary Of State for Health and Social Care which could undermine local leadership, the local accountability of the NHS, and local government’s public health responsibilities.

This council applauds the work of our Public Health and Adult Social Care Teams during this pandemic and the work of all council officers in keeping council services going during these difficult times.

Council therefore resolves that:

- All party Leaders be requested to write to the NHS Leads asking for them to consult the City Council and residents on the White Paper, so that our local communities can have meaningful input into the proposals for the NHS;
- To ask the CEO to write to local and national NHS Leads, to express our wish for representation of both officers and members from each Local Authority area covered in any proposed Integrated Care Systems, to ensure accountability, transparency and oversight;
- To ask the CEO to write to the Minister of Health as part of the White Paper consultation and seek assurance that these reforms will not remove or undermine scrutiny of the NHS through Local Authority bodies such as Health Overview and Scrutiny Committees and independent bodies such as Healthwatch;
- And further, to ask the CEO to write to the Minister of Health and local MPs to ask for sufficient resources for public health to address health inequalities and deal with any future pandemic, including responsibility for test and trace systems.

134.11 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were against the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she wished to abstain from voting on the motion;

Councillor Janio confirmed that he was voting for the motion;

Councillor Knight confirmed that she was voting for the motion.

134.12 The Mayor confirmed that the motion had been carried.

135 WELFARE ASSISTANCE FUND

135.1 The motion had been withdrawn – refer to Item 131.

136 RISE

136.1 The Notice of Motion as listed in the agenda was proposed by Councillor Nemeth on behalf of the Conservative Group and formally seconded by Councillor Simson.

136.2 Councillors Powell and Evans spoke in favour of the motion.

136.3 The Mayor then put the following motion the vote:

This Council:

(1) Strongly supports the work of Sussex-based charity RISE in helping people affected by domestic abuse and violence;

(2) Notes that Policy & Resources Committee is in the process of establishing a cross-party Member Working Group to review commissioning and procurement practices including those relating to domestic violence services;

(3) Calls on the Member Working Group to leave no stone unturned in getting to the bottom of the decisions, procedures and processes that led to the current unsatisfactory situation; and

(4) Requests officers to expedite any requests for information that are made by either Councillors or members of the public relating to the above, through Freedom of Information requests or other means.

136.4 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting for the motion;

Councillor Fishleigh confirmed that she was voting for the motion;

Councillor Janio confirmed that he was voting for the motion;

Councillor Knight confirmed that she was voting for the motion.

136.5 The Mayor confirmed that the motion had been carried.

137 GREEN PRIDE

137.1 The Mayor noted that a revised version of the notice of motion had been circulated with addendum 1 and that he was requited to call on Councillor Miller to explain the revision and see Council's agreement to the revised motion be taken in place of the original one listed in the agenda.

137.2 Councillor Miller stated that following the publication of the agenda he had received legal advice which required a revision to the wording of the motion.

137.3 The Mayor sought Council's agreement to the revised motion being taken which was agreed.

137.4 The Notice of Motion as listed in addendum 1 was proposed by Councillor Miller on behalf of the Conservative Group and formally seconded by Councillor Bagaeen.

137.5 Councillor Clare moved an amendment on behalf of the Green Group which was formally seconded by Councillor Littman.

137.6 Councillors Childs and Brennan spoke in favour of the original motion and Councillor Miller confirmed that he was not prepared to accept the amendment.

137.7 The Mayor noted that the amendment had not been accepted and therefore put the amendment to the vote and called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were in favour of the amendment and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were against the amendment and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were against the amendment and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she wished to abstain from voting on the amendment;

Councillor Fishleigh confirmed that she was voting for the amendment;

Councillor Janio confirmed that he was voting for the amendment;

Councillor Knight confirmed that she wished to abstain from voting on the amendment.

137.8 The Mayor confirmed that the amendment had been lost.

137.9 The Mayor then put the following motion the vote:

This Council agrees to:

1. Request the Policy & Resources Committee to consider the prohibition of the use of Preston Park and any other council property, park, green or open space for the event Green Pride as a commercial event, in which the organiser charges stall holders and accepts sponsorship, or takes money in relation to the event, save if agreed by Council officers and to call for a report as necessary in order to be able to approve the prohibited use of council land and property as outlined; and

2. Support the use of medicinal cannabis and CBD oil in line with national legislation and the right to protest on the issue of cannabis use, using areas designated by Council officers, other than when the organiser seeks to make money.

137.10 The Mayor then called on each of the Group Leaders to confirm their position as well as the Groups in turn followed by each of the Independent Members:

Councillor Mac Cafferty stated that the Green Group were against the motion and this was confirmed by the Green Group Members;

Councillor Platts stated that the Labour Group were in favour of the motion and this was confirmed by the Labour Group Members;

Councillor Bell stated that the Conservative were in favour of the motion and this was confirmed by the Conservative Group Members;

Councillor Brennan confirmed that she was voting against the motion;

Councillor Fishleigh confirmed that she was voting for the motion;

Councillor Janio confirmed that he was voting for the motion;

Councillor Knight confirmed that she wished to abstain from voting on the motion.

137.11 The Mayor confirmed that the motion had been carried.

138 CLOSE OF MEETING

138.1 The Mayor thanked everyone and closed the meeting.

The meeting concluded at 10.55pm

Signed Chair

Dated this day of 2021

WRITTEN QUESTIONS FROM COUNCILLORS

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

(1) Councillor Yates:

Can the lead member please provide a breakdown of the 198 EV charging points installed over recent years by ward please? Along with ward car ownership numbers in real terms for comparison.

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

(2) Councillor Allcock:

At budget Council in February it was agreed to allocate £60,000 to establish a post-Covid Family Coaches project within the city Children's Centres. This is intended to improve provide early intervention with families with babies and young children recovering from the impacts of Covid and other forms of disadvantage, to support their development and improve their future educational attainment. Can you please inform me how this this project in progressing including how many Family Coaches have been recruited and when they were appointed, and a brief update on their achievements to date?

Reply from Councillor Clare, Chair of the Children, Young Persons & Skills Committee

(3) Councillor Allcock

At budget Council in February it was agreed to allocate £168,000 to establish a Community Drug Impact Co-ordinator role for 3 years to address the impact of illegal drug sales, drug use and cuckooing on our communities. Can you please inform me how this work is progressing including when the coordinator will be appointed?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(4) Councillor Childs:

Will the Council provide an assurance that St Luke's Swimming Pool will not be closed and that it will be allocated appropriate funding and investment as part of the proposed City Leisure Plans?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(5) Councillor Childs

What percentage of Local Authority Schools contain blue and brown asbestos?

Reply from Councillor Clare, Chair of the Children, Young People & Skills Committee

(6) Councillor Childs

Will the administration commit to installing an adult disabled changing place as part of the Black Rock regeneration project?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(7) Councillor Childs

Given that the revenue generated from library reservation and inter library loan charges is less than £1000 a year, will the Council agree to cease the practice of charging children to access books?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(8) Councillor O'Quinn

There have been a large number of anti-social incidents in local parks in Brighton and Hove in the last few weeks. What preventative actions, alongside the police, are the council implementing to deal with this very concerning issue?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(9) Councillor Janio

Can the Chair of the Health and Wellbeing Board confirm what active measures the council, including the Planning Department, are taking to support the provision of a Health Hub in H&K?

Reply from Councillor Shanks, Chair of the Health & Wellbeing Board

(10) Councillor Janio

Can the Chair of the Health and Wellbeing Board confirm if the council supports the provision of a Health Hub in Benfield Valley?

Reply from Councillor Shanks, Chair of the Health & Wellbeing Board

(11) Councillor Janio

Can the Chair of the Health and Wellbeing Board would confirm if the CCG supports the provision of a Health Hub in Benfield Valley?

Reply from Councillor Shanks, Chair of the Health & Wellbeing Board

(12) Councillor Janio

Private households and organisations have formed over the last few years that seek to reverse the decline in 'the nations favourite 'non-captive' animal' - the Hedgehog. Indeed, the Janio family has 5 regular visitors who welcome the food provided for them by Mrs J. This helps, in a very small way, but there are dangers to the Hedgehog in our modern urban environment. In suburban Brighton and Hove many gaps between the pavement/road/soakaway have widened over the years and are now large enough for Hedgehogs to fall into – if they do, they then become trapped and suffer a horrible lonely miserable death. Can the Chair of the ETS Committee list any ways in which the council could identify these enlarged spaces and any measures they think might be taken to avoid unnecessary deaths and suffering of hedgehogs across Brighton and Hove?

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

(13) Councillor Janio

Will the Chair of the Health and Wellbeing Board state if they believe there are good bus routes across Benfield Valley?
If they do, would they confirm that this would be very useful for patients attending a Health Hub in the area?

Reply from Councillor Shanks, Chair of the Health & Wellbeing Board

(14) Councillor Simson – Population:

Please can you provide the following information relating to my ward of Woodingdean.

a) Number and percentage of families with young children - pre-school or primary
b) Number and percentage of the population claiming unemployment benefits
c) Number and percentage of the population claiming health-related benefits

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(15) Councillor Simson – CCTV in the City

Can the Chair of the TECC Committee advise?

a) The total number of Council-operated CCTV cameras deployed in the City, including:

a. Fixed CCTV cameras
b. Mobile CCTV cameras

b) The location where these cameras are monitored.

c) How many council staff members are employed to monitor output of these cameras?

d) The number of offences successfully identified and prosecuted as a result of CCTV evidence during the past municipal year.

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(16) Councillor Mears - Housing repairs and maintenance service insourcing policy (Industrial action)

The policy decision made by the Labour/Green Coalition on Housing to insource the City's Housing Repairs service on 1 April 2020 has resulted in a long industrial dispute with GMB Union.

This dispute has included:

- Weeklong strike action in the week commencing 7 September 2020.
- A threat of all-out strike action from GMB Union then followed

In the minutes from the meeting on 17 March 2021, The Co-Chair of the Housing Committee advised that the dispute had been settled.

However no public statement has been issued by the council as to what the terms and the cost of resolving this industrial dispute has been, and furthermore who is bearing this cost.

Despite a number of questions from myself at the Housing Committee, no information as to the nature of any settlement has been provided.

This is a prime example of the lack of accountability and transparency at Brighton & Hove City Council generated by the Coalition arrangement between Labour and Green Parties on housing.

Can you please advise:

a) What is the current backlog for Housing Repairs in the City?

b) What concessions were made by the Council to resolve the industrial dispute with GMB Union over its housing repairs insourcing policy?

c) What is the cost to the taxpayer of this settlement, including:

- Cost to tenants through funds paid out of the Housing Revenue Account
- Other administrative costs including legal fees incurred by the council during this year long industrial dispute

Will the Council put out a press statement to advise tenants and Councillors of the above information (a-c)?

Reply from Councillor Gibson / Hugh-Jones, Joint Chair of the Housing Committee

(17) Councillor Mears - Green Wall

The removal of a segment of Brighton & Hove's Green Wall has caused great upset among Brighton and Hove's residents and environmental groups such as the Royal Society for the Protection of Birds and Building Green.

The living wall along Madeira Drive was planted by the Victorians in the 1870s and is also a wildlife reserve listed in council planning documents. It has grown and survived intact in this city for a century and a half until April when it was severed.

The damage, relayed in shocking pictures published in The Argus, includes about eight Japanese spindle plants, planted in 1872 and a large fig tree which were cut down by the council.

It is noted that Brighton & Hove City Council has been reported to the police for a wildlife crime.

To date, there have been a number of conflicting explanations from the Green Administration as to why a section of this Green Wall was removed.

These have been published in the Argus Newspaper (Brighton Council apologises for cutting down Green Wall, The Argus 23/04/21):

> *On Monday, residents were told the work was conducted during planning for a "possible" cycle lane on Dukes Mound.*
> *On Wednesday, the council then said it took place for a cycle lane and a pedestrian crossing.*
> *Now it claims it had "nothing to do with the cycle lane in particular".*

The Chair of the Black Rock Task and Finish Group has subsequently provided a new explanation as to why the Green Wall was cut down.

In an email to members of this Task and Finish Group, the Chair stated:

> *I thought it was established that the reason the green wall was cut back was because of a traffic safety survey that recommended cutting back to enable pedestrians to see traffic coming up the hill so they can safely cross the road.*

When I asked the Chair of the Task and Finish Group if this was correct, Cllr Druitt said that he stood by what said in this email.

Can you please advise what the reason was for Brighton and Hove City Council cutting down the Green Wall?

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

(18) Councillor Mears – Protests in the City

There have been many recent protests in the City involving large numbers of people.

These large gatherings have been a threat to public health during the pandemic.

The Communications Department at the Council has not been providing public information to help residents avoid areas with protest activity on the regular protest days.

Will the Council instruct its communications department to warn the public when such protest activity occurred?

Reply from Councillor Mac Cafferty, Leader of the Council.

(19) Councillor Barnett - CCTV and Cuckooing

Action is required from the Council to get on top of this issue of cuckooing occurring on council-run property.

There are many over-50s housing blocks up by the hospital and on the Ditchling Road that have been targeted for cuckooing and we need to protect our elderly residents there. These council-run over 50s blocks have some vulnerable residents in their 80s.

We are aware of cases where council flats have been targeted for cuckooing three or four times but nothing has been done. It is deeply troubling that drug dealers consider the council's over 50's housing blocks as a safe haven for their activities and to target the elderly and the council needs to get on top of this which is happening in its own back yard.

The over 50s blocks need CCTV cameras in the entrance to see who's going in and out because there have been cases of cuckooing in those blocks with the very elderly.

I understand that the Council has been talking about the issue of cuckooing for a while and is now saying it is thinking of holding a drug summit to talk about it more - but our tenants need action now.

Until the Council gets on top of this drug dealing and cuckooing going on at Council-owned property we're not going to get anywhere with tackling drugs in the city.

I understand that the Council has the facilities for monitoring CCTV including a Council CCTV control room which should be being utilised better.

Will the Chair of the Housing Committee commit to installing CCTV cameras at the council-run over-50's blocks to protect our vulnerable residents from cuckooing?

Reply from Councillor Gibson / Hugh-Jones, Joint Chair of the Housing Committee

(20) Councillor Barnett - Public Space Protection Orders (PSPOs)

Brighton and Hove City Council previously had PSPOs in place to deal with antisocial behaviour in parks and green spaces. Certain parks that were trouble spots were named and had these PSPOs attached to them. They were described as 'having a positive deterrent effect on antisocial behaviour' by Council Officers. They were initially brought in to help tackle unauthorised encampments in City Parks.

Inexplicably, in December 2019, the then Labour Council allowed these Antisocial behaviour Public Space Protection Orders (PSPOs) for our parks to expire.

Despite calls from our Conservative Councillors to reinstate the Public Space Protection Orders, Labour and the Greens have never brought forward a measure to do so.

In its opposition to PSPOs the Labour/Green Council has put our City out of step with neighbouring authorities, such as Conservative Worthing which has PSPOs dealing with begging and overnight camping.

Given the recent spate of antisocial behaviour in the City, including unauthorised encampments of travellers (such as those that set up in the middle of Portslade Cricket Club) and the ongoing problem of begging throughout the pandemic, will the Green Administration reconsider its opposition PSPOs?

Will the Green Administration reintroduce PSPOs for parks and begging to bring us back into line with our neighbouring authority Worthing?

Reply from Councillor Gibson / Hugh-Jones, Joint Chair of the Housing Committee

(21) Councillor Theobald – Patcham Roundabout Precinct

I would like to draw your attention to several council issues that are providing a poor first impression to visitors arriving to the city via the Patcham Roundabout precinct.

a) The ‘London Road’ road sign at the top of London Road, next to the roundabout, is in a state of damage.
b) The area behind the ‘London Road’ sign, including the stunning brick wall, is overrun with weeds. This is an area that should be planted and maintained during the summer.
c) The Cricket Pavilion at Patcham Place Recreation Ground is covered in graffiti on 3 sides. This was reported by myself to the Council on 16 April but has not been actioned yet.
d) Patcham Roundabout remains unplanted and in a terrible state. In response to my question to Cllr Heley on 17 December 2020 I was told that: ‘Negotiations and due diligence are progressing and we hope this will be finalised shortly so that works can start in the New Year’. It is now July and works have still not started.
e) There is a recurrent problem with unlawful encampments of travellers on Patcham Place due to insufficient boundaries to prevent vehicles entering the park.

Please can you advise what work will be undertaken to resolve the above issues (a-e)?

It is noted that in this year’s City Budget (25 February 2021), the Conservative Group secured funding for a gateway entry signage for the Patcham Roundabout precinct as follows:

£0.005m revenue to fund:

a. £0.050m borrowing from £0.004m revenue, to support capital investment into a gateway welcome to Brighton and Hove on and adjacent to Patcham A27/A23 Roundabout to include a piece of iconic public artwork.

b. £0.001m revenue to maintain this gateway welcome

Please can you advise the progress and timeframe for the implementation of this initiative?

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

(22) Councillor Theobald – City in Bloom

Brighton and Hove City in Bloom folded on 24 February 2020 after running competitions in the City for many years.

When the committee decided to cease operation, the final Facebook post noted the challenges of having to leap the hurdles of council directions. They had to exclude less sustainable categories and embrace more ecologically sound practices for the competition.

Their post said: “As volunteers, we have found the running of City in Bloom to be complex and unsustainable.

“While we are saddened that we can’t continue, we are very pleased with our achievements over the seven years that we have been running as a voluntary organisation.

“Our sponsors have supported us and allowed us to award many community groups for their outstanding work and achievements.

“It was the decision of the committee (five members in total) to cease operation due to the extreme amount of time and energy that was needed and, having worked to update the process in which the competitions were run to exclude less sustainable categories and embrace more ecologically sound practices, the operation was deemed to have become unsustainable for the volunteers involved.”

This was noted in the Special General Meeting of Dissolution Minutes of Monday 24 February 2020.

The council’s lack of support is a key factor. While sustainability is important, a more proactive council would have worked with City in Bloom to find a way to bring in sustainable displays alongside traditional colourful flowers for a time in the summer.

The annual competition did much instil civic pride and showcase the city.

This is so important to Brighton & Hove which is a tourist town that relies on visitors and the contrast with other tourist towns in our county right is striking – a look at the presentation of Eastbourne and Worthing right now puts Brighton and Hove to shame.

Many of the City’s flowerbeds are in a poor state, overgrown with weeds and some filled with rubbish.
Examples include Viaduct Road and even outside Hove Town Hall.

What efforts will be taken to improve the current state of Communal flowerbeds and tubs, such as those on Viaduct Road and outside Hove Town Hall?

Will the Administration commission a report on the merits of bringing back City-wide City in Bloom Competition for 2022?

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

(23) Councillor Theobald - Contractors

Residents on Stoneleigh Court Patcham have reported their street being left in poor condition following recent contractual work by a telecommunications provider.

Residents have found it difficult to have the work remediated.

Does the Council have a system in place for monitoring the standard of work undertaken by contractors on City streets and responding to residents when it fall short of expectations?

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

(24) Councillor Theobald – Cycling on the Promenade

Cycling on the promenade continues despite the display of notices indicating that cycling is not allowed. The continued cycling creates a danger for pedestrians.

Council employees make no attempt to impose the rules.

I have seen several letters on this subject in the Argus.

What efforts will be taken to enforce these bylaws in future?

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

(25) Councillor Brown – King George VI Avenue (River of Tulips)

In April the Council accidentally cut down a display of tulips along King George VI Avenue, upsetting many residents.

This river of tulips was planted at public expense. One resident has said that although not native wildflowers, residents were assured at the time of planting by David Larkin that they would provide a corridor of habitat up the road as well.

Can you reassure the public that the administration supports the residents' river of tulips along King George VI Avenue?

What efforts will be made to make sure this mistake is not made again next year?

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

(26) Councillor McNair – Birch Grove Crescent (Poorly designed bins)

The Council's General Waste Bins on Birch Grove Crescent leak litter due to a design flaw.

The cages inside the bins are too small for the shell. As a result, much rubbish slips down the space between the cage and the shell and returns to the street, creating a health hazard for local residents.

I have reported this issue to the Council and asked for the design problem to be fixed.

Can the Council advise the progress in rectifying this issue?

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

(27) Councillor McNair – 5G Mast Camouflaging

Extra funding for camouflaging 5G masts was achieved at budget council by the Conservative Group.

It is good news that the new 5G mast in London Road by the Brangwyn estate will be camouflaged by trees. However, when will this take place, and what will it look like?

Can we have a guarantee that other 5G masts not requiring planning approval that may be erected in Patcham & Hollingbury in future will also be camouflaged?

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

(28) Councillor McNair – Peace Gardens

The work in the Peace Gardens to replace two benches and repair the paving has been going on for many months, and residents are frustrated with the progress.

When is it going to be completed?

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

(29) Councillor Peltzer Dunn

I would like to draw your attention to the following Platinum Jubilee event that would be ideally suited to Brighton & Hove City Council:

Civic Honours competition - Local authorities have the chance to showcase their civic pride, interesting heritage and record of innovation - putting their hometowns on the map and bringing greater prosperity and opportunity.

This would be an ideal opportunity for our City of Brighton & Hove, which embodies all these attributes.

Rare awards will grant winning towns and cities with ‘city status’ and ‘Lord Mayor or Provost status’ for the first time in 10 years.

Further information on how to participate can be found here: https://www.gov.uk/government/news/prestigious-civic-honours-to-be-awarded-by-her-majesty-the-queen-for-first-time-in-10-years?fbclid=IwAR3cs6vEN-WZGjyje_zNdaprH3S70zLHGmGUqiFzl-uvardrJURgCrPLY-8

Please can you advise:

1. Whether Brighton and Hove City Council will participate in the Civic Honours competition for Her Majesty’s Platinum Jubilee?

If yes, when will planning commence for our participation in this Civic Honours competition?

Reply from Councillor Mac Cafferty, Leader of the Council

(30) Councillor Wilkinson

Labour was pleased to work cross party with the Green Party in January 2021 in successfully asking for update our city’s road safety strategy to include road danger reduction measures such as:

- creating an environment that supports the use of active travel methods, as they pose a lower level of threat to other road users.
- expanding interventions designed to cut drivers’ speed.
- working on ways to encourage a reduction in journeys by motorised vehicles.
- measuring danger on our roads through metrics other than a reduction in casualty numbers.

Safe mobility around our city is central to the quality of life of all who live and work in Brighton and Hove. An updated road safety strategy will set out our vision for road safety and inform policies to achieve that goal. The citizens of Brighton and Hove should be able to go about their daily lives without being placed under undue risk of injury from traffic. Our city should be a place where it is safe for every child to walk independently to school.

Can you please provide details on the progress of this strategy?

Low traffic neighbourhoods are being successfully introduced both across the UK and abroad as a means of tackling traffic issues in communities.
As you know I have long supported my residents in championing the feasibility of creating a low traffic neighbourhood in my Central Hove Ward, something you said you support.

Labour also gained committee approval in March 2021 for officers to explore options for other Low Traffic Neighbourhood schemes and suitable complimentary measures across the city, and begin work with member oversight on a wider Low Traffic Neighbourhood delivery strategy for the city.

Can I further ask that you provide details on the progress of this strategy?

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

(31) Councillor Barnett - Weeds on the pavement in Hangleton & Knoll

The state of the pavements in Hangleton & Knoll has deteriorated and many are now overgrown with weeds.

Some weeds have become so large that they are growing into people's front gardens.

Something must be done before someone slips and falls and hurts themselves.

Can the Council confirm:

1. Is it the responsibility of Brighton & Hove City Council to ensure the pavements are free of weeds?

2. What is the council's current policy on removing weeds from the pavement?

3. Will the council arrange for weeds to be removed from all pavements in Hangleton & Knoll ward before Autumn?

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

ORAL QUESTIONS FROM COUNCILLORS

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

(1) Councillor Allcock
Subject matter: **Reinstatement of Parking Charges for NHS staff**

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

(2) Councillor Bell
Subject matter: **Democracy in Brighton & Hove**

Reply from Councillor Mac Cafferty, Leader of the Council

(3) Councillor Appich
Subject matter: **EV Car Share Pilot**

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

(4) Councillor Nemeth
Subject matter: **Ice Rinks**

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, equalities, Communities & Culture Committee

(5) Councillor Knight
Subject matter: **Seafront Lighting**

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

(6) Councillor Evans
Subject matter: **Equalities & Disability Officer**

Reply from Councillor Gibson / Hugh-Jones, Joint Chair of the Housing Committee

(7) Councillor McNair
Subject matter: **Grass**

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

(8) Councillor Fishleigh
Subject matter: **Hyde Group**

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

(9) Councillor Wilkinson
Subject matter: **Park & Ride**

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

(10) Councillor Barnett
Subject matter: **Dangerous Pavements**

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

(11) Councillor Brennan
Subject matter: **Psychologists in Brighton**

Reply from Councillor Shanks, Chair of the Health & Wellbeing Board

(12) Councillor Grimshaw
Subject matter: **Housing Transformation and Homelessness**

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

(13) Councillor Moonan
Subject matter: **ASC Commissioning**

Reply from Councillor Shanks, Chair of the Health & Wellbeing Board

(14) Councillor O'Quinn
Subject matter: **Women's Safety**

Reply from Councillor Gibson / Hugh-Jones, Joint Chair of the Housing Committee

(15) Councillor Childs
Subject matter: **Asbestos in the Council's Estate**

Reply from Councillor Gibson / Hugh-Jones, Joint Chair of the Housing Committee

(16) Councillor Yates
Subject matter: **Housing Transfer Delays**

Reply from Councillor Gibson / Hugh-Jones, Joint Chair of the Housing Committee

Council	Agenda Item 24
15 July 2021	Brighton & Hove City Council

Subject:		**IRP Report on Members Allowances – Extract from the proceedings of the Policy & Resources Committee meeting held on the 1 July 2021**		
Date of Meeting:		**15 July 2021**		
Report of:		**Executive Lead Officer for Strategy, Governance & Law**		
Contact Officer:	Name:	**Mark Wall**	**Tel:**	**01273 291006**
	E-mail:	mark.wall@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

Action Required of Council:
To consider the report and the recommendations from the Policy & Resources Committee; together with the report of the IRP.
Recommendation:
(1) That recommendation 3.1 as set out in the IRP report relating to job sharing roles be agreed; (2) That Recommendation 3.3 as set out in the attached IRP report relating to an allowance for co-optees who attend committee in a personal capacity be agreed; and (3) That the Executive Lead Officer for Strategy, Governance & Law be granted delegated authority to update Council Procedure Rules to reflect the agreement in relation to the job sharing of roles as referred to in paragraph 3.2 of this report and to publish the revised Members Allowances Scheme.

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 1 JULY 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTE EXTRACT

Present: Councillor Mac Cafferty (Chair) Appich (Joint Opposition Spokesperson) and Bell (Group Spokesperson)

Also present: Dr Anusree Biswas-Sasidharan, Standing Invitee

PART ONE

14 REPORT ON MEMBERS ALLOWANCES - JULY 2021

14.1 The Executive Lead Officer for Strategy, Governance & Law introduced the report which outlined the report of the Independent Remuneration Panel and its recommendations on the proposed changes to the Members Allowances Scheme. He noted that the Panel had met to review the Scheme and had received representations from Members both in person and in writing. He noted that the Panel's recommendations were intended to be fair and cost neutral and that whilst the majority had been well received by Members, the Panel recognised that there was no consensus in relation to parking facilities. He also noted that whilst full Council was required to take the Panel's recommendations into account, it was not bound by them.

14.2 The Committee welcomed the report and thanked the Panel for their work and noted their recommendations. It was also noted that there was no consensus in regard to the Panel's recommendations and therefore the Chair stated that he would put each recommendation to the vote separately.

14.3 The Chair then put the recommendations to the vote and the outcome of these is listed below:

(i) Recommendation 1 Carried
(ii) Recommendation 2 Lost
(iii) Recommendation 3 Caried
(iv) Recommendation 4 Carried.

14.4 **RESOLVED TO RECOMMEND:**

(1) That recommendation 3.1 as set out in the IRP report relating to job sharing roles be agreed;

(2) That Recommendation 3.3 as set out in the attached IRP report relating to an allowance for co-optees who attend committee in a personal capacity be agreed; and

(3) That the Executive Lead Officer for Strategy, Governance & Law be granted delegated authority to update Council Procedure Rules to reflect the agreement in relation to the job sharing of roles as referred to in paragraph 3.2 of this report and to publish the revised Members Allowances Scheme.

Council	Agenda Item 24
15 July 2021	Brighton & Hove City Council

Subject:		**Report by the Independent Remuneration Panel for Brighton & Hove City Council**		
Date of Meeting:		**15 July 2021** 1 July 2021 – Policy & Resources Committee		
Report of:		**Executive Lead Officer for Strategy Governance & Law**		
Contact Officer:	**Name:**	**Elizabeth Culbert**	**Tel:**	**01273 2915**
	Email:	**elizabeth.culbert@brighton-hove.gov.uk**		
Ward(s) affected:		**All**		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report covers the report and recommendations of the Independent Remuneration Panel (IRP) with regard to their review of the Member Allowances Scheme (the Scheme).

1.2 The review covered three areas: the payment of Special Responsibility Allowances for roles that are undertaken on a job-share basis; support for car parking, and allowances for co-optees.

2. RECOMMENDATIONS

Policy & Resources Committee recommends to full Council that:-

2.1 Recommendation 3.1 as set out in the attached IRP report relating to job sharing roles be agreed.

2.2 Recommendation 3.2 as set out in the attached IRP report relating to car parking for members be agreed.

2.3 Recommendation 3.3 as set out in the attached IRP report relating to an allowance for co-optees who attend committee in a personal capacity be agreed.

2.4 The Executive Lead Officer for Strategy, Governance & Law be delegated authority to update Council Procedure Rules to reflect the agreement in relation to the job sharing of roles as referred to in paragraph 3.2 of this report and to publish the revised Members Allowances Scheme.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The role of the IRP, under the Local Authorities (Members' Allowances) (England) Regulations 2003, is to make recommendations to the Council as to the responsibilities or duties in respect of which allowances should be available and the amount of those allowances. The IRP may also make recommendations

as to whether, in the event that the Allowances Scheme is amended at any stage, payment of allowances may be backdated. All councils are required to convene their Allowances Panel and seek its advice before they make any changes or amendments to their Allowances Scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.

3.2 In November 2019 the Policy & Resources Committee considered a report on Women in Local Government and agreed a recommendation that Member positions of special responsibility are open to job share. At full Council on 23 July 2020 appointments were made to Committees and Sub-Committees, including the appointments to positions of special responsibility. This included a number of roles which were identified as job share roles. A subsequent report was submitted to the 13 August full Council meeting confirming some of the details. A Chair's job share protocol was included for information with the papers for full Council.

3.3 In view of the above, the Independent Remuneration Panel (IRP) were invited to consider whether changes or clarification of the agreed Member's Allowances Scheme 2018-2023 was necessary.

3.4 At the Budget Council meeting in February 2021 it was agreed that car parking provision at the Norton Road car park for councillors should be withdrawn. The IRP were asked to review the recommendations and consider the implications for the Scheme.

3.5 Finally, the IRP were also asked by a resolution of P&R on 13th May 2021 to consider whether co-optees and standing invitees who are appointed and attend council committee meetings in a personal and voluntary capacity should receive an allowance to acknowledge the value they bring to the Council's decision-making.

3.6 The IRP met on 19th January, 2nd March and 25th May 2021, with councillors in attendance on 2nd March and 25th May. The Panel's report and recommendations are attached to this report as Appendix 1.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 In relation to all the proposals set out in the report, the IRP stated that they would review the situation as part of the next full review ahead of making recommendations for the Members Allowances Scheme to be in place for 2023-2027.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The Panel sought the views of councillors directly and through Group Leaders and met with a number of councillors prior to making its recommendations on potential changes to the current Members Allowances Scheme.

5.2 The different Groups had different preferences in terms of the options for car parking they wished to see pursued. The Green Group were in favour of withdrawing support for Councillor parking (Option 2); the Labour Group

indicated a preference for Option 3 (passes issued but no spaces reserved) and the Conservative Group indicated a preference to maintain the existing level of support (Option 1).

6. CONCLUSION

6.1 The report presents the report and recommendations of the IRP for consideration by the Committee.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The recommendations regarding job sharing roles have been made on the basis that they remain cost neutral and there are not expected to be any financial implications arising from these recommendations.

7.2 The recommendations regarding parking for members will mean that the potential budget saving of £0.025m agreed by Budget Council in February 2021 cannot be achieved in 2021/22. This can be addressed by utilising the small General Fund contingency budget but this may become an additional commitment in the 2022/23 budget if there are other calls on contingency during the year.

7.3 The recommendations regarding allowances for co-opted members will result in a small additional cost of £1,500, however, this is expected to be manageable within the overall budget held by Democratic Services.

Finance Officer Consulted: Nigel Manvell Date: 18/06/21

Legal Implications:

7.4 These are included in the body of the report.

Lawyer Consulted: Elizabeth Culbert Date: 180621

Equalities Implications:

7.5 The proposed revision to the Scheme in respect of job share roles will support younger members, working members and those with other responsibilities to undertake a position of responsibility. The proposal in relation to car parking will ensure ongoing accessibility for members who need to attend meetings and who may have mobility or other issues which are supported by access to car parking arrangements nearby. The proposal for co-optees who attend Council committee meetings in a personal and voluntary capacity to receive an allowance will assist in ensuring that invitees are not excluded from engaging in the role on financial grounds.

Sustainability Implications:

7.6 The use of a car has recognised environmental implications, which need to be taken into consideration when a councillor fulfils their duties and responsibilities.

SUPPORTING DOCUMENTATION

Appendices:

1. IRP report and recommendations dated 18th June 2021

Report by the Independent Remuneration Panel for Brighton & Hove City Council

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Mr Ken Childerhouse (Chair)

Mr Martin Andrews

Mr John Bateman

Ms Rachel Potter

18th June 2021

1. Introduction: The Regulatory Context and Background to the Report

1.1 The Panel was convened under The Local Authorities (Members' Allowances) (England) Regulations 2003. These Regulations require all local authorities to set up and maintain an advisory Independent Remuneration Allowances Panel to review and provide advice on Members' allowances. All councils are required to convene their Allowances Panel and seek its advice before they make any changes or amendments to their allowances scheme, and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.

1.2 The functions of the Panel are set out in the Regulations, namely to produce a report in relation to Members of the Council making recommendations:

(a) as to the amount of basic allowance which should be payable to Members;

(b) as to the duties in respect of which such Members should receive a special responsibility allowance and as to the amount of such allowance;

(c) as to whether the allowance scheme should include allowances in respect of the expenses of arranging for the care of children or dependants of such Members and the amount of such allowances;

(d) as to the responsibilities or duties in respect of which a travel and subsistence allowance should be available;

(e) as to the responsibilities or duties in respect of which a co-optees' allowance should be available;

(f) as to whether payment of allowances may be backdated in accordance with Regulation 10(6) in the event of the scheme being amended at any time;

(g) as to whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply;

(h) as to which Members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972;

(i) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable;

(j) as to whether any allowances to Members should be withheld in the event of the Member concerned being suspended or partially suspended.

1.3 This report relates to a request for the Panel to advise the Council in relation to proposed changes to the Members Allowances Scheme covering the period 2019 to 2023.

2. The Panel

2.1 Brighton & Hove City Council has appointed the following to its Independent Remuneration Panel, namely:

- Ken Childerhouse (Chair) (retired university lecturer);
- Martin Andrews (civil servant);
- John Bateman (teaches Corporate Governance in the Department of Business and Management at the University of Sussex);
- Rachel Potter (JP, Journalist and Editor specialising in local government and the public sector).

2.2 The Panel was asked to consider the following issues that may require amendments to the Scheme:-

- Job sharing and co-chairing of committees by councillors
- The provision of support for car parking for councillors
- A proposal to provide an allowance for co-optees to Council Committees, where the individual is not representing on organisation

2.3 The Panel considered the issues highlighted through an on-line questionnaire to councillors, virtual meetings with councillors impacted by the new co-chairing arrangements and virtual meetings with the Leaders of the Opposition Groups. The Panel sought to take into account:

- The current Allowances Scheme;
- Councillors' views on the proposed changes to the Scheme;
- The council's decision-making structure;
- The council's budgetary position and savings targets.

2.4 The Panel met on 19th January, 2nd March and 25th May 2021, with councillors in attendance on 2nd March and 25th May. The Panel carefully considered the representations they received from councillors and officers, together with the written information presented, before they reached their conclusions.

3. Recommendations

The following recommendations are put before the Council:-

3.1 That the Scheme is amended to reflect the changes in relation to job sharing roles as set out in paragraph 4.8 of this report;

3.2 That Option 1 in relation to support for car parking for members is agreed as set out at paragraph 5.5-5.7 of this report;

3.3 That an allowance of £500 is included in the Scheme, payable to co-optees and standing invitees to Council Committees who attend in a personal capacity as set out more fully at paragraph 6 below.

4. Job sharing and co-chairing of committees by councillors

4.1 In November 2019 full Council considered a report on Women in Local Government and agreed a recommendation that Member positions of special responsibility are open to job share.

4.2 At full Council on 13th August 2020 appointments were made to Committees and Sub-Committees, including the appointments to positions of special responsibility. This included a number of roles which were identified as job share roles. A Chair's job share protocol was included for information with the papers for full Council.

4.3 In view of the above, the Independent Remuneration Panel (IRP) were invited to consider whether changes or clarification of the agreed Member's Allowances Scheme 2019-2023 was necessary.

4.4 On 25th March 2021 full Council considered a report from the IRP and made the following resolutions in relation to the issue of job sharing:-

(1) That the comments of the IRP regarding their encouragement to the Council to consider further information being shared regarding the nature and practical implementation of job share roles for Councillors be noted;

(2) That a report be brought to the next meeting of Policy & Resources Committee to detail which jobs could be job shared in any revisions to the Scheme.

4.5 The Panel noted from previous council debates and decisions that principle of job-sharing seemed to be generally accepted. However, there was concern expressed relating to (a) perceived difficulty in operating the job-share arrangements in terms of members and officers knowing who does what; (b) perceived duplication of representation where both job share members attend meetings and (c) perceived potential additional costs to the Council.

4.6 The IRP wish again to make clear in this report that they were confined to considering the allowances applicable to the posts that had been agreed by full Council in August 2020, which included job share roles. The IRP made no comment on the structure or division of roles that had been agreed. They noted that it was a matter for full Council to determine the positions of responsibility and to make any changes to these, including whether or not a role could be a job share. The IRP noted that a job share protocol was in place that was published as part of the Council agenda on 13th August 2021 and further noted that the Council may wish to consider amendments or updating of that protocol to address the concerns that have been raised and to consider keeping that protocol under regular review.

4.7 The IRP considered that the Allowances Scheme should enshrine a general principle that arrangements for job sharing should not result in additional costs which would be more that the total cost of the scheme if there was no job sharing ie the arrangements should be cost neutral to the overall Scheme.

4.8 The IRP considered the division and application of SRA's between roles that are job shared to be in line with the Fair Remuneration principle set out in the Scheme. The IRP concluded that the proposals to enable the division of SRAs between roles that are job shared will support younger members, working members, and those with other responsibilities, to be able to hold senior positions and have the opportunity to develop in their roles.

Recommendation

4.9 Taking the above principles into account, the IRP recommend that the Allowances Scheme is amended to reflect that:

(a) A Member who job shares a role receives 50% of the SRA for that post;

(b) If a Member job-shares two roles, they receive 50% of the SRA for each of the posts they share;

(c) A Member should not be allowed to job share more than two roles;

(d) Deputy Leader arrangements be rationalised so that:

(i) A single Deputy Leader will be expected to Chair a Committee and get the full Deputy Leader Allowance (currently £20,039.)

(ii) If 2 Members job share the Deputy Leader position and share the Chairing of the same committee, they share 50% of the Deputy Leader's allowance (currently £10,020)

(iii) If the 2 Members job share the Deputy role but also Chair one committee each full time, they shall both receive 50% Deputy Leader's allowance and 50% committee chair's allowance (meaning they would receive a total SRA of £15,030 currently).

(e) If the Leader's position is job-shared, the joint Leaders will be expected, between them to chair the equivalent of a full time policy committee (Policy & Resources Committee) and the Leader's allowance will be shared between them equally.

4.10 The IRP noted that at Annual Council in May 2021, appointments were made to the role of Leader of the Official Opposition on a job share basis (referred to as Co-Leaders). As set out above, the IRP recommend that each Member job sharing that role should receive 50% of the SRA for that post.

5. The provision of support for car parking for councillors

5.1 Independent Remuneration Panels have direct responsibility for making recommendations in relation to travel and subsistence allowances.

5.2 At the Budget Council meeting in February 2021 it was agreed that a £25k saving should be attributed to car parking provision for councillors at the Norton Road car park, subject to consideration by the IRP. The IRP were

asked to review the recommendations and consider the implications for the Allowances Scheme.

5.3 Full Council on 25th March 2021 made the following resolution in relation to car parking:-

(3) That an Options Paper be brought to the next meeting of Policy & Resources Committee to decide on any revisions to the Members Allowances Scheme with regards to car parking passes, and for the options to include:

- *separating the two car park concessions and reducing them,*
- *for permits to be limited in number per political group,*
- *choosing to have permits for one site only,*
- *allowing Councillors to make a larger monthly contribution for both car parks near the Town Halls*
- *or other suggestions which the IRP believe relevant.*

5.4 The IRP considered the representations received from Members and the information presented by officers. The following options were identified:-

Option 1

5.5 Car park passes continue to be provided for both Norton Road and the Lanes and councillors make a monthly contribution, (deducted from their basic allowance payment) of £22.60.

5.6 The 12 spaces to the rear of the car park at Norton Road are held for councillors on a first come, first served basis. Any additional spaces required would be subject to availability in the main car park and if no spaces were available the councillor would need to find alternative parking and pay for it.

5.7 Additional spaces would continue to be reserved in the main Norton Road car park for full Council meetings to ensure all councillors with passes are able to attend.

Option 2

5.8 No car park passes are provided, and councillors are expected to use public transport or pay for parking when attending meetings.

5.9 The Panel noted that the Members Allowances Scheme provides that the use of taxis when leaving a meeting late at night can be claimed for.

Option 3

5.10 Passes are issued to those opting for a car park pass at Norton Road without the 12 designated councillor spaces being reserved to councillors, so that councillors would have to rely on finding an available space when attending meetings. This would free up the 12 spaces currently held in Norton Road and therefore generate a saving.

5.11 No passes are issued for the Lanes as the majority of meetings take place at Hove Town Hall, but arrangements would be made to enable those councillors wishing to park when attending full Council meetings are able to do so (Democratic Services to manage the arrangements).

Recommendation

5.12 The IRP noted the feedback from elected Members in relation to this issue. There were a wide range of different views expressed, from retaining the status quo to removing all support for Member parking. There was no consensus on the way forward to deliver this saving. The IRP considered the size of the saving that could be made from the withdrawal of the provision of the 12 spaces in Norton Road and balanced this against the representations that had been received and the potential impact on accessibility for councillors to council meetings.

5.13 In the absence of a majority view from the Groups supporting one option, the IRP did not consider that a case had been made to significantly alter the current arrangements. The Panel also considered that the potential impact on the accessibility of meetings to councillors and anyone considering becoming a councillor in the future would be disproportionate to the saving that could be achieved. The Panel also felt that this remained in line with the objectives of the Women in Local Government report as it maintained an option of choice for accessibility.

5.14 Therefore the IRP recommend Option 1 to full Council, which maintains an option for a monthly contribution for a car park pass to be paid by members who wish to use this (Mon- Fri) on the basis of 12 reserved spaces being available at Norton Road car park, as well as ongoing access to the Lanes car park.

Allowances for co-optees to Council Committees who attend in a personal capacity

6.1 On 13th May 2021 Policy & Resources Committee received a report on the Council's constitution which included the following proposal:-

Co-optees and standing invitees

4.11 It is proposed that the Council's existing arrangements for encouraging input from relevant groups in the area be enhanced by appointing the following additional non-voting co-optees to those of the Council's Committees specified below. It should be noted that options for future representation on other Committees will be kept under review, while the project to explore all available means of supporting co-optees and standing invitees to participate effectively in the Council's decision-making remains ongoing:

- *An additional co-optee to Environment, Transport and Sustainability Committee to represent the perspective of disabled people;*
- *A representative from Parent Carers' Council (PaCC) to be co-opted onto Children, Young Persons and Skills Committee.*

4.13 It is further proposed that a role description is developed for co-optees and standing invitees and that a report is brought back to this Committee to consider whether co-optees and standing invitees who are appointed and attend Council Committee meetings in a personal and voluntary capacity should receive an allowance to acknowledge the value they bring to the Council's decision-making. Such a proposal would also require consideration by the Independent Remuneration Panel.

6.2 Following this request from Policy & Resources Committee, the IRP have considered the proposal to offer an allowance to co-optees and standing invitees who attend Council Committee meetings in a personal and voluntary capacity. The IRP understand that this proposal would impact on the following roles:-

Committee	Role	Representing	Number of positions
Policy & Resources	Standing Invitee	BME representative	1
TECC	Standing Invitee	BME representative	1
ETS	Non-voting co-optee	Representative of disabled people	1

6.3 Under the current Scheme co-optee's allowances are currently paid to the two Independent Members of Audit and Standards Committee as follows;-

Independent Member of Audit & Standards Committee (x2) *£1,058*

Independent Member of Audit & Standards Committee (when serving as the Chair of a Standards Hearing Panel) *£200*

6.4 The IRP considered that there should be a differentiation in the allowances paid to the Independent Members and other co-optees/standing invitees because of the nature of the demands of the audit and standards role. The Independent Member role carries with it prescribed statutory responsibilities outside of the committee cycle which are embedded in the Council's Standards Procedure. These responsibilities require the Independent Members to undertake assessments of complaints of breaches of the Code of Conduct for members and to advise the Monitoring Officer of their findings. They are also involved in member training and policy review in relation to audit, governance and standards matters. They are required to manage and chair Standards Panel Hearings for which they receive a per meeting payment of £200.

6.5 The IRP considered the role of the co-optees and standing invitees against the draft job descriptions that have been prepared. The IRP considered that it was appropriate to apply the principles of the Scheme to those non-voting co-optees and standing invitees who do not represent organisations but attend in

a personal capacity. These principles include supporting the public service ethos, whereby there is a recognition of giving time voluntarily in the public interest, and also the Fair Remuneration principle, which recognises the advantage of a range of people being encouraged and enabled to be involved in local government from all walks of life.

Recommendation

6.6 Taking into account the above principles, and the decision of the Council to introduce a number of co-optee and standing invitee roles to its Committees, the IRP considered that an allowance of £500 per annum should be recommended for applicable roles. This sum would be intended to recognise the attendance of co-optees and standing invitees who do not represent organisations but attend in a personal and voluntary capacity at Council Committees (approximately 6-7 per annum) and to recognise their time engaged in preparation for those meetings. The IRP did not consider a per meeting payment would be appropriate because of the additional resource required to administer and time taken to apply for this and because the number of meetings is clearly set out in advance in the Council diary, so is a known quantity.

7. Conclusion

7.1 The IRP have listened carefully to all of the different representations from members in relation to the proposals addressed in this report, which have been referred to the IRP to support their consideration of amendments to the current Scheme. The IRP recognise that amendments to the Scheme may be necessary where there are developments in Council arrangements and recommend to full Council the proposed changes to the Scheme as set out in the report.

Council	Agenda Item 25
15 July 2021	Brighton & Hove City Council

Subject:		**Review of the Constitution – Extract from the proceedings of the Policy & Resources Committee meeting held on the 13 May 2021**		
Date of Meeting:		**25 March 2021**		
Report of:		**Executive Lead Officer for Strategy, Governance & Law**		
Contact Officer:	Name:	**Mark Wall**	**Tel:**	**01273 291006**
	E-mail:	mark.wall@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

Action Required of Council:

To consider the report and the recommendations from the Policy & Resources Committee.

Recommendations:

(1) That the proposal to make changes to the Council's Procedure Rules in Part 3.2 of the Council's Constitution indicated in paragraphs 4.1 - 4.7 inclusive and Appendix 1 be approved;

(2) That the appointment of a co-optee to represent the perspective of disabled people to Environment, Transport & Sustainability Committee and a representative from Parent Carers' Council (PaCC) to be co-opted onto the Children, Young People & Skills Committee, as outlined in paragraph 4.12 of the report be approved;

(3) That the proposal to make changes to the rules on Petitions in Part 8.10 of the Council's Constitution as set out in paragraphs 4.16 to 4.18 inclusive and Appendix 5 of the report be approved;

(4) That the proposed changes referred to in (1), (2) and (3) above and as set out in Appendices 1 and 5 to the report; be approved;

(5) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and by Full Council, and that the Monitoring Officer be authorised to amend all parts of the Council's constitutional documents necessary to incorporate the changes, and to republish the Constitution; and

(6) That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 13 MAY 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTE EXTRACT

Present: Councillor Mac Cafferty (Chair) Appich and Bell (Group Spokesperson).

Also present: Standing Invitee Dr Anusree Biswas Sasidharan

PART ONE

186 REVIEW OF THE COUNCIL'S CONSTITUTION

186.1 The Executive Lead Officer for Strategy, Governance & Law introduced the report which detailed proposed changes to the Council's Constitution to be approved by the committee and full Council. He noted that the proposals had been considered by the cross-party Constitution Working Group and were being brought forward as part of the regular review of the constitution.

186.2 Members of the committee welcomed the report and thanked the officers for the work that had been undertaken and noted the proposed changes would improve the workings of the council. The committee also welcomed the intention to produce job descriptions for co-optees and to have a co-optee on the Environment, Transport & Sustainability Committee.

186.3 The Chair noted the comments and put the recommendations to the vote which were carried.

186.4 **RESOLVED:**

(1) That the full Council be recommended to approve the proposal to make changes to the Council's Procedure Rules in Part 3.2 of the Council's Constitution indicated in paragraphs 4.1 - 4.7 inclusive and Appendix 1;

(2) That the proposals to make changes to the Council's Member Working Groups and Advisory Bodies in Part 4 of the Council's Constitution as set out in paragraphs 4.8 to 4.11 inclusive and Appendices 2 & 3 be approved;

(3) That full Council be recommended to approve the appointment of a co-optee to represent the perspective of disabled people to Environment, Transport & Sustainability Committee and a representative from Parent Carers' Council (PaCC) to be co-opted onto the Children, Young People & Skills Committee, as outlined in paragraph 4.12 of the report;

(4) That a report be brought to the next Committee meeting, addressing proposals for the payment of an allowance to those co-optees and standing invitees described in paragraph 4.13 of the report;

(5) That the proposal to make changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution as set out in paragraphs 4.14 to 4.15 inclusive and Appendix 4 of the report be approved;

(6) That the full Council be recommended to approve the proposal to make changes to the rules on Petitions in Part 8.10 of the Council's Constitution as set out in paragraphs 4.16 to 4.18 inclusive and Appendix 5 of the report;

(7) That full Council approves the proposed changes referred to in paras 2.1, 2.3 and 2.6 above and as set out in Appendices 1 and 5 to the report;

(8) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and by Full Council, and that the Monitoring Officer be authorised to amend all parts of the Council's constitutional documents necessary to incorporate the changes, and to republish the Constitution; and

(9) That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

POLICY & RESUORCES COMMITTEE	Agenda Item 186 Brighton & Hove City Council

Subject:		**Review of the Council's Constitution**
Date of Meeting:		**13 May 2021**
Report of:		**Executive Lead Officer for Strategy, Governance & Law (Monitoring Officer)**
Contact Officer:	**Name:**	**Abraham Ghebre-Ghiorghis**
	Email:	**abraham.ghrebre-ghiorghis@brighton-hove.gov.uk**
Ward(s) affected:		**All**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT:

1.1 This report proposes changes to the Council's Constitution for approval by Policy & Resources Committee and (where relevant) Council. The proposals set out in the report have been considered by the cross-party Constitutional Working Group (CWG) and by Leaders Group.

2. RECOMMENDATIONS:

That the Policy & Resources Committee:

2.1 Recommends to Full Council the proposal to make changes to the Council's Procedure Rules in Part 3.2 of the Council's Constitution indicated in paragraphs 4.1 - 4.7 inclusive and Appendix 1.

2.2 Agrees the proposals to make changes to the Council's Member Working Groups and Advisory Bodies in Part 4 of the Council's Constitution as set out in paragraphs 4.8 to 4.11 inclusive and Appendices 2 & 3.

2.3 Recommends that Full Council approve the appointment of a co-optee to represent the perspective of disabled people to Environment, Transport & Sustainability Committee and a representative from Parent Carers' Council (PaCC) to be co-opted onto the Children, Young People & Skills Committee, as outlined in paragraph 4.12 of the report.

2.4 Recommends that a report be brought to the next Committee meeting, addressing proposals for the payment of an allowance to those co-optees and standing invitees described in paragraph 4.13.

2.5 Agrees the proposal to make changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution as set out in paragraphs 4.14 to 4.15 inclusive and Appendix 4 of the report.

2.6 Recommends to Full Council the proposal to make changes to the rules on Petitions in Part 8.10 of the Council's Constitution as set out in paragraphs 4.16 to 4.18 inclusive and Appendix 5 of the report.

That Full Council:

2.7 Approves the proposed changes referred to in paras 2.1, 2.3 and 2.6 above and as set out in Appendices 1 and 5.

That both Policy & Resources Committee and Full Council:

2.8 Authorise the Chief Executive and Monitoring Officer to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and by Full Council, and that the Monitoring Officer be authorised to amend all parts of the Council's constitutional documents necessary to incorporate the changes, and to republish the Constitution.

2.9 That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The Council is required to keep its Constitution under review with a view to achieving efficiency, economy and effectiveness. The cross-party Constitutional Working Group (CWG) was set up to assist with this by considering proposals and advising the Council on proposed changes to the Constitution. The current members of the CWG are Councillors Clare (Chair), O'Quinn and Nemeth. The proposals set out in the report were discussed by the CWG and also by Leaders' Group.

4. PROPOSALS

Changes to the Council's Procedure Rules – Part 3.2

4.1 A series of proposals to the rules governing the conduct of the council's meetings are proposed as described below and the relevant updated sections of Part 3.2 of the Constitution are attached as Appendix 1.

4.2 Notices of motion

Currently the total number of Notices of Motion which may be submitted to each meeting of Full Council is six: two per Group. Joint Notices of Motion are not normally counted which has led to some uncertainty and inconsistency. It is proposed that the rules be clarified by providing that – as well as each Group being able to submit two Notices of Motion – each Group is also entitled to co-submit a maximum of two additional Notices of Motion with another Group.

4.3 Voting on Recommendations

Currently there is inconsistency as to whether recommendations are required to be put to the meeting as one vote or whether they are voted on individually. It is proposed that the Rules be amended to include explicit reference to the discretion of the Chair to decide how recommendations are put, the Chair being best placed to judge which approach to adopt on a case by case basis.

4.4 Amendments to written reports

As currently worded, the rules on amendments appear to conflict, with Rule 14 appearing to allow verbal amendments contrary to the notice requirements in Rule 15. It is proposed that Rule 14.2 be amended to ensure clarity.

4.5 Amendments negating the motion

Rule 13.4 currently provides that an amendment 'shall not have the effect of simply negating the motion before the meeting'. It is suggested that the concept of a 'negating amendment' would be clarified by providing the definition as set out in Appendix 1.

4.6 Points of Order

The high number of interjections presented as Points of Order at some Full Council meetings has been observed. It has been noted that many do not meet the definition provided in Rule 15.10, and that dealing with them takes up time in the meeting. To ensure the effective running of the council's business, it is therefore proposed that the Rules be amended to provide that a member who has had two Points of Order ruled as inadmissible will not be permitted to raise a third Point of Order at the same Full Council meeting.

4.7 Smoking

It is considered that the current prohibition on smoking in council meetings is no longer required due to the legal prohibition in place. As a result, it is proposed that it be deleted.

Changes to the Council's Member Working Groups and Advisory Bodies - Part 4

4.8 Following a review of the Council's Member Working Groups and Advisory Bodies, the following bodies are proposed to be deleted, for the reasons indicated:

Cross Party Members and Stakeholder Steering Group for the Disability and Special Educational Needs review	This member working group is no longer necessary now that the Special Education Needs Review has been completed.
Health & Social Care Integration X-Party Members Working Group	This member working group has not met for some months and is not considered to be needed.
Modernisation Member Over-Sight Group	This member working group has recently been paused as the work of the Council's modernisation programmes are reported to the relevant service Committees as necessary.

Adoption Panel	This body is no longer required due to a change in the law which established a joint body – Adoption South East –from April 2020 to carry out relevant functions.

4.9 The following changes are proposed to the Terms of Reference of existing Member Working Groups as set out fully in Appendix 2:

(i) The Terms of Reference of the Homelessness Reduction Board be amended to future proof it, in case of future changes in political representation.

(ii) The remit of the 2030 Carbon Neutral Group be expanded to incorporate the allocation of funding required to deliver the plan (an action previously overseen by a task & finish group which has now been disbanded: the Sustainability & Carbon Reduction Investment Fund Member Oversight Group).

4.10 The following additional Member Working Groups are proposed to be established with the Terms of Reference which are set out in Appendix 3 alongside some additional explanatory text which it is proposed be inserted in the Introduction to Part 4 of the Constitution in order to provide additional clarity re the role of Member Working Groups and the principles on which they are established:

(i) A City Downland Estate Advisory Panel to exist alongside the Asset Management Board (AMB), to provide a dedicated forum for considering relevant issues.

(ii) Cross-Party Working Group for Planning Policy to provide Planning Committee with input on planning policy and guidance (NB this was proposed by Planning Committee but has yet to receive formal approval from Policy & Resources Committee).

(iii) Youthwise: an advisory body which aims to demonstrate the council's commitment to listening to the voice of young people and involving them in decisions that may impact on them (NB this was proposed by Children, Young Persons & Skills Committee but has yet to receive formal approval from Policy & Resources Committee).

4.11 In relation to the chairing of Member Working Groups, the current expectation is that the Chair of each MWG shall normally be appointed from the Council's largest political group unless Policy & Resources Committee has made other express provision. It is proposed that the word 'normally' be deleted so as to make that provision unequivocal and thereby ensure clarity and consistency but to also retain the option for Policy & Resources Committee (or other relevant Committee in the case of task and finish Member Working Groups) to agree other provision for chairing when they agree the Terms of Reference, as is currently the case.

Co-optees and standing invitees

4.12 It is proposed that the Council's existing arrangements for encouraging input from relevant groups in the area be enhanced by appointing the following additional non-voting co-optees to those of the Council's Committees specified below. It should be noted that options for future representation on other Committees will be kept under review, while the project to explore all available means of supporting co-optees and standing invitees to participate effectively in the Council's decision-making remains ongoing:

- An additional co-optee to Environment, Transport and Sustainability Committee to represent the perspective of disabled people;
- A representative from Parent Carers' Council (PaCC) to be co-opted onto Children, Young Persons and Skills Committee.

4.13 It is further proposed that a role description is developed for co-optees and standing invitees and that a report is brought back to this Committee to consider whether co-optees and standing invitees who are appointed and attend Council Committee meetings in a personal and voluntary capacity should receive an allowance to acknowledge the value they bring to the Council's decision-making. Such a proposal would also require consideration by the Independent Remuneration Panel.

Changes to the Scheme of Delegations to Officers – Part 6

4.14 It is proposed that the delegations to the Executive Director – Economy, Environment & Culture be amended to make specific reference to the power to enforce the environmental offences included in the updated Environmental Enforcement Framework, which was approved by Environment, Transport & Sustainability in September 2020. The proposed amended wording is set out in Appendix 4.

4.15 It is further proposed that the Executive Director – Housing, Neighbourhoods & Communities is delegated sole responsibility for services to rough sleepers. This proposal is considered to provide greater clarity than the current arrangements where the function is delegated concurrently to two Executive Directors. The proposed amended wording is set out in Appendix 4.

Changes to the Council's Petitions Scheme – Part 8.2

4.16 It is proposed that the council's current Petitions Scheme be amended to embed in it the requirement that all supporters of a petition submitted in paper or via the Council website demonstrate that they live, work and/or study in the area of B&H by providing a relevant postcode.

4.17 The proposed amendments also embed into the Scheme that petitions received from petition portals outside of the Council will also be encouraged to demonstrate that signatories live, work and/or study in the area of B&H by providing a relevant postcode, with the aim of ensuring consistency.

4.18 The proposed amended wording is set out in full at Appendix 5 to this report.

5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

5.1 The Committee or Council could decide not to implement the changes set out in this report, with the impact of retaining the status quo. However, the proposals have been made to improve clarity and understanding of the Constitution for both elected members and the public.

6. COMMUNITY ENGAGEMENT & CONSULTATION

6.1 The proposals in this report have been reviewed in detail by elected Members in the Constitution Working Group and Leaders Group. The proposals do not represent changes to the decision-making structure or framework and due to the procedural nature of the changes that are proposed it is not considered that community engagement would be appropriate.

7. CONCLUSION

7.1 The proposals reflect the Council's ongoing efforts to review its Constitution to ensure that it is reflective of current practice and priorities and to achieve clarity and increased efficiency. As a result, it is recommended that the proposals in this report be approved.

8. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

8.1 There may be potential cost implications arising from any proposed allowances for co-optees, which will be the subject of a further report and would be subject to approval by the Independent Remuneration Panel. Financial implications will be provided for these reports.

Finance Officer Consulted: Nigel Manvell Date: 05/05/21

Legal Implications:

8.2 Policy & Resources Committee and, where specified in this report, Full Council have the authority to make the changes to the Council's Constitution which are set out in the report. The intention is for the proposals to be implemented with immediate effect following the decision of the relevant decision-making body, unless expressly stated to the contrary.

Lawyer Consulted: Victoria Simpson Date: 040521

Equalities Implications:

8.4 The Council has a public sector equality duty under s149 of the Equality Act 2010. In the exercise of its functions the Council must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those that do not.

8.5 The Council's public sector equality duty has been considered by officers and the proposals of this report have been assessed for their equalities impact. There are anticipated benefits to disabled people in respect of the proposal to introduce an additional co-optee to ETS and CYPS Committee and to younger people in relation to the establishment of Youthwise.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 – Part 3.2 (tracked changes version)
Appendix 2 – Part 4 – extracts (tracked changes version)
Appendix 3 – Part 4 – extracts (tracked changes version)
Appendix 4 – Part 6 (tracked changes version)
Appendix 5 – Part 8.10 (tracked changes version)

Background Documents

None

Appendix 1: Extracts from the Council Procedure Rules – Part 3.2

Rule 8: Notices of Motion

Procedural Requirements

8.1 Notice of every motion, other than a motion which under Procedure Rule 13 may be moved without notice, shall be given in writing. It shall be signed by not fewer than two Members of the Council and delivered to the Chief Executive (see Procedure Rule **Error! Reference source not found.**) by not later than 10.00 am on the ninth working day before the relevant Council meeting.

Number of Notices of Motion

8.2 The maximum number of notices of motion to be presented at a Council meeting shall be as follows:

the three largest Political Groups:

- 2 each plus also 2 additional notices of motion per Group jointly with another Group.
- any other Group: 1

8.3 Any Member not belonging to a Political Group may present not more than 1 notice of motion, at the discretion of the Mayor.

8.4 Where Members of a Political Group submit more than the permitted maximum number of notices of motion, the Group shall decide which of these it wishes to table. In the absence of such a decision, notices of motion from members of a Political Group shall be taken in the order in which they are received, up to the permitted maximum number.

Substantive and Declaratory Motions

8.5 A notice of motion shall be placed on the agenda for the Council meeting unless the Members submitting the motion ask that it be first considered by a Committee or Sub-Committee. However, if the motion includes a proposal for the Council to take any substantive action or incur any expenditure (substantive motion) it shall only be considered to the extent that either the matter is noted by the Council or is referred to the relevant Committee or Sub-Committee for consideration.

8.6 The Policy & Resources Committee or the Monitoring Officer may issue guidance on the application of Procedure Rule 8.5 above.

Members' Right to Speak

8.7 When a notice of motion is taken at a meeting of a Committee or a Sub-Committee, a Member who has signed the motion shall have the right to attend and address the meeting.

Reporting of Outcome of Notice of Motion

8.8 A notice of motion referred to a Sub-Committee will be reported to the next meeting of the parent Committee and to the next meeting of the Council under Procedure Rule 24. A notice of motion referred to a Committee will be reported to the next meeting of the Council for information.

Moving a Motion

8.9 A motion of which notice has been given must be moved at Council either by a Member who gave the notice or by some other authorised Member (authorised by the Mayor). If no such Member moves the motion it shall be postponed by consent of the Council, or treated as withdrawn.

Relevance

8.10 Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the Authority, the area of Brighton & Hove and/or its inhabitants.

Consultation

8.11 Where the Council is in the process of consulting with the public on a proposal, no notice of motion expressing support or objecting to the proposals shall be accepted.

[..]

Rule 13: : Motions and Amendments

Motions where Notice is Not Required

13.1 The following motions may be moved without notice at any meeting:

(a) to elect in the event of a vacancy a Mayor, or Deputy Mayor, or Chair, or Deputy Chair or to appoint a person to preside at the meeting at which the motion is made;

(b) motions relating to the accuracy of the minutes;

(c) motions relating to a change in the order of business;

(d) motions extending the time limit for speeches;

(e) “that the Council (or Committee or Sub-Committee) proceed to the next business”;

(f) “that the question be now put”;

(g) “that the debate be now adjourned”;

(h) “that the Council (or Committee or Sub-Committee) do now adjourn”;

(i) motions as to the termination of meetings;

(j) motions relating to the suspension of these Procedure Rules without notice;

(k) motions to exclude the public from a meeting where there is likely to be otherwise disclosure of exempt or confidential information, in accordance with the Access to Information Procedure Rules set out in Part 7.1 of the Constitution;

(l) motions giving consent of the Council, Committee or Sub-Committee where it is required under these Procedure Rules;

(m) motions to appoint a Committee or Member arising from an item on the summons for the meeting;

(n) motions to refer a petition which has been presented to the Council or any other matter to a Committee or Sub-Committee or other appropriate body or individual for consideration;

(o) motions relating to deputations under Procedure Rule **Error! Reference source not found.**

Moving Recommendations

13.2 On consideration of a report or a recommendation from a Committee, Sub-Committee or officer, the adoption of the report or recommendation and any resolutions consequential upon that adoption may be moved without notice. Where more than one recommendation is being proposed, then it will be at the discretion of the Mayor or Chair to decide whether they are voted on individually or one at a time.

Amendment to Motions

13.3 Subject to the requirements of Procedure Rule 15.4 as to notice, an amendment to a motion may be moved, but shall be relevant to the motion. No amendment shall be moved to an amendment.

13.4 An amendment shall be either to refer the matter to a Committee, Sub-Committee or an officer for consideration, to leave out some or all words, or to insert or to add other words, but such omission, insertion or addition of words shall not have the effect of simply negating the motion before the meeting. A negating amendment is one which – while on the same subject as the original motion - would if passed generate the same outcome as a simple vote against the proposal. A negating amendment is one which would nullify the proposal in its entirety, thereby resulting in no change to the status quo.

Alteration/Withdrawal of Motions/ Amendments

13.5 With the consent of the meeting, signified without discussion, a Member may:

(a) alter a motion of which they have given notice;

(b) with the further consent of the seconder, alter a motion which has been moved and seconded; if the alteration is one which could be made as an amendment.

13.6 With the consent of the seconder and the meeting, signified without discussion, the mover of a motion or an amendment may withdraw it. No Member shall speak to such a motion or amendment after the mover has asked consent for its withdrawal, unless such consent has been refused.

The 6 Month Rule

13.7 At a meeting of the Council, no motion or amendment shall be moved to rescind any resolution of the Council which was passed within the preceding six months or which is to the same effect as one which has been rejected within that period. Such a motion may be moved if it is recommended by a Committee or Sub-Committee or notice of such motion has been given by as many Members as will constitute a quorum of the Council (fourteen) on the summons to the meeting.

Consent

13.8 Where the consent of the Council, Committee or Sub-Committee is required for anything, that consent may be given either by the Mayor or Chair asking the meeting whether there are any objections to the consent being given, and if no objection is raised, giving that consent, or if objection is raised or if the Mayor or Chair so chooses, by a motion moved, seconded and put to the meeting.

Rule 14: Written Reports

14.1 No report upon which decisions are proposed to be made shall be taken at any meeting of the Council, a Committee or Sub-Committee, unless it is in writing.

~~14.2 Verbal amendments and additions to written reports may normally be made unless the effect of them is to nullify the recommendations in the report and replace them with others. Where exceptionally amendments and additions are not allowed for special reasons, then those must be recorded in the minutes.~~
Verbal amendments and additions to written reports may only be made by Members in accordance with Rule 15.4 (notice of amendments) and Rule 13.4 (amendments not to have effect of negating the motion)

14.3 With the agreement of the Mayor or Chair, then unless any Member objects, officers may revise or modify recommendations to reports where it is considered necessary to do so to ensure technical accuracy or to facilitate an agreed outcome.

14.4 Where petitions under Procedure Rule 10, Members' letters under Procedure Rule **Error! Reference source not found.**, motions under Procedure Rule 8

or deputations under Procedure Rule 11, are referred to a Committee unaccompanied by a written report, the Committee may discuss the petition, letter, motion or deputation, as the case may be, in general terms and note the same, or ask for an officer report on the matter. No decision which requires the Council to take substantive action or incur expenditure may be taken in response to a request in a petition, notice of motion or otherwise in the absence of an officer report.

Rule 15: Rules of Debate (All Meetings)

General

15.1 The rules of debate in this Procedure Rule shall apply to all meetings of the Council, Committees and Sub-Committees. In the case of Committees and Sub-Committees, however, the Council recognises that a greater informality may be exercised by the Chair in order to efficiently transact the business before the meeting. Such informality shall be at the discretion of the Chair.

Seconding Motions and Amendments

15.2 A motion or amendment shall not be discussed unless it has been proposed and seconded.

Reserving Speech

15.3 When seconding a motion or amendment, a Member may reserve their speech until a later period of the debate by declaring their intention to do so.

Notice of Amendments

15.4 Copies of amendments will be prepared and circulated prior to the start of a Council meeting only if such amendments are presented to the Chief Executive by 10.00am on the day of the Council meeting (or, in the case of any meeting scheduled for 12 noon or earlier on any day, by 4.00pm on the preceding working day). Amendments for which notice has not been given may be permitted at any time at the discretion of the Mayor or Chair if they consider it appropriate with regard to the complexity of the matter, the question of whether notice has been given as soon as is reasonably practicable and any other circumstances that appear to be relevant. Such amendments shall be put in writing unless the Mayor or Chair exercises their discretion to allow an amendment to be put orally.

Taking of More Than One Amendment at a Time

15.5 More than one amendment may be moved and discussed at any one time. and will be dealt with at the discretion of the Mayor or Chair.

15.6 If an amendment is not carried, other amendments may be moved to the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion to which any further amendment may be moved.

Speeches

15.7 If two or more Members offer to speak, the Mayor or Chair shall call on one to speak.

15.8 When speaking, a Member shall address the Mayor or Chair.

15.9 A Member shall direct their speech to the question under discussion, or to a personal explanation or to a point of order under the provisions of Procedure Rule 15.10.

Points of Order

15.10 A Member claiming to speak on a point of order or in personal explanation shall be entitled to be heard forthwith. The point of order shall relate only to an alleged breach of a specified statutory provision or a specified Procedure Rule, and the way in which the Member raising it considers that it has been broken. Personal explanation shall be confined to some material part of the speech by the Member which may appear from the current debate to have been misunderstood. A Member who has already had two points of order ruled as inadmissible by the Chair shall not normally be permitted to raise a third point of order at the same meeting.

15.11 The ruling of the person presiding on a point of order or on the admissibility of a personal explanation shall not be open to discussion except on a motion of which due notice has been given.

Procedural Motions

15.12 When a motion is under debate, no other motion shall be moved except the following:

(a) to withdraw or amend the motion;
(b) a closure motion under the next paragraph;
(c) a motion dealing with the prevention of disorder;
(d) a motion to exclude the press and public.

Closure Motions

15.13 The following closure motions shall be permitted during discussion of another motion. They shall be moved, seconded and put without discussion. If the motion is moved and seconded, then the person presiding shall proceed as follows:

(a) **"that the meeting proceed to the next business".** The person presiding shall permit the mover of the original motion to reply, and then put to the vote the motion to proceed to the next business; if that motion is carried the original motion shall lapse;

(b) **"that the question be now put".** If the person presiding is of the opinion that the matter before the meeting has been insufficiently discussed they may refuse to accept the motion; if they accept the motion, they shall put to the vote forthwith the motion that the question be now put; if this is carried, they shall permit the mover of the original

motion (at meetings of the Council) any right of reply to which they are entitled and then put that motion to the vote;

(c) **"that the debate be now adjourned"** or **"that the meeting do now adjourn".** If the person presiding is of the opinion that the matter before the meeting has been sufficiently discussed, they may refuse to accept either of these motions, and instead put the motion that the question be now put; if they are of the opinion that the matter has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, they shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply on that occasion; the original motion or remaining business shall then stand over as uncompleted business until the next meeting of the Council, Committee or Sub-Committee, as the case may be.

[..]

~~Rule 30: Smoking at Meetings~~

~~30.1 Any person at or attending a meeting of the Council or of a Committee or a Sub-Committee shall observe the Council's rule that no smoking be permitted in such meetings.~~

Appendix 2 – proposed amendments to the Terms of Reference of existing member working groups in Part 4

TERMS OF REFERENCE FOR THE HOMELESSNESS REDUCTION BOARD

1. Name

1.1 Homelessness Reduction Board (HRB).

2. Purpose

2.1 The purpose of the HRB is to promote homelessness reduction and prevention through the development of improved and integrated homelessness services as set out in the Homelessness and Rough Sleeping Strategy.

2.2 Brighton & Hove City Council's Housing Committee has the overall responsibility for the Homelessness and Rough Sleeping Strategy. The role of the HRB is to ensure that structures are in place to deliver on strategic priorities contained in the strategy.

2.3 The HRB will also monitor relevant actions agreed in the Council's Corporate Plan and the Housing Committee Work Plan.

2.4 Each strategic priority will be included in an action plan. This will consist of the work of the council and its commissioned services. Housing and Health & Adult Social Care will work in partnership with Health, Children's Services, the Probation Service, Sussex Police, and our voluntary and third sector partners to develop collective commitments to tackle homelessness and rough sleeping. Once these commitments are made, they will be included in the action plan and monitored.

3. Status

3.1 The HRB shall be an advisory board to Housing Committee and the Health & Wellbeing Board. The HRB will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

3.2 However, it is expected that the Board will be established on a cross party basis.

4. Areas of focus

1. To promote integration and joint working in Homelessness & Rough Sleeping services across the City in order to improve the homelessness outcomes of the people of Brighton and Hove;

2. To develop the Joint Strategic Needs Assessment (JSNA), relating to homelessness & rough sleeping, for the City;

3. To cooperate in the development of other strategies for the City. To ensure that homelessness is accurately reflected in these strategies and integrated across the City;

4. To receive the Clinical Commissioning Group's draft annual commissioning plan and to respond with its opinion as to whether the draft commissioning plan takes account of the Homelessness Reduction Strategy.

5. To establish and maintain a dialogue with the Council's Local Strategic Partnership Board, including consulting on its proposed strategies and reporting on outcomes in line with the City's Performance and Risk Management Framework;

6. In line with government guidance to promote transparency and accountability the HRB will involve stakeholders

7. To review annual progress against city priorities and the approved annual action plan

8. To consider reports, where appropriate, from relevant programme boards and related multi-sector committees with a remit for public health in order to inform the Homelessness Reduction Strategy including: Alcohol Programme Board, the Substance Misuse Programme Board and the Sexual Health Programme Board.

9. Leadership and Agenda Setting and Accountability

- Promote creative and innovative approach to homelessness reduction.
- Promote the agenda on integration - both in terms of sharing commissioning resource but also in terms of delivering a joined up service for homeless people.
- Provide collective leadership to a whole range of City-wide collaborative working and whole system issues - including emergency planning, resilience and preparedness, urgent care etc.

5. Reporting

5.1 The HRB will report to Housing Committee & Health & Wellbeing Board (as appropriate) with recommendations as necessary.

6. Membership

6.1 Membership of the Board shall consist of three voting elected Members, appointed on a cross party basis (currently 1:1:1) .and the non voting members listed below.

6.2 It will have a panel of non-voting members formed of the Chair of Health and Wellbeing Board and representatives of other public bodies and organisations working to alleviate and address issues associated with homelessness and rough sleeping.

Voting members:

Chair of Housing Committee
Opposition Spokesperson Housing Committee
Group Spokesperson Housing Committee

Non voting Members

1 Chair of Health & Wellbeing Board
2 Clinical Commissioning Group
3 Probation Service
4 Prison Service
5 Brighton & Sussex University Hospital Trust
6. Sussex Partnership Foundation Trust
7. Sussex Police
8. Two members of the Homelessness & Rough Sleeping Strategy Operational Board.

Officers in attendance:

Executive Director Neighbourhoods, Communities & Housing
Executive Director Families, Children and Learning
Executive Director Health and Adult Social Care.

Quorum

At each meeting, the quorum requirement is at least two voting members

Chair

The Board will be chaired by the Chair of the Housing Committee.

The appointments may be made, in accordance the wishes of the political groups, at the meeting of Policy & Resources Committee when the terms of reference are agreed or notified to the Chief Executive by the Group following the meeting.

7. Meetings and ways of working

7.1 The timing and number of meetings will be dictated by the volume of business for the HRB. The group will meet at least quarterly.

7.2 Board papers will be circulated at least 5 working days in advance of the board meetings.

7.3 Board papers will be published on the council's website after the meeting, except where the Board determine that the information contained therein would be exempt from disclosure.

7.4 It is expected that the Member Working Groups will reach decisions by consensus where possible. Where there is no agreement, the voting Members will cast a vote and if there is an equality of votes Chair shall have the right to exercise a casting vote.

7.5 The Group will agree ways of working appropriate to the role and remit of the Group.

8. Review

8.1 These terms of reference may be reviewed and amended by Policy & Resources Committee.

TERMS OF REFERENCE FOR 2030 CARBON NEUTRAL PROGRAMME CROSS PARTY MEMBER WORKING GROUP

1. Name 2030 Carbon Neutral Programme Cross-Party Member Working Group (MWG).

2. Purpose A 2030 Carbon Neutral Programme has been established to help achieve a key policy objective of Brighton & Hove City Council in becoming carbon neutral by 2030. The Cross-Party MWG will oversee the programme development and implementation, including the development of an engagement programme and City Assembly.

2. Status The 2030 Carbon Neutral Programme MWG shall be an advisory board to the Policy & Resources Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross-party basis.

3. Areas of focus

The focus of the Cross-Party MWG is to have oversight of the development and delivery of the 2030 Carbon Neutral Programme to help ensure the core programme objectives are met. These objectives are set out in the PID and are to:

• Agree a methodology for recording emissions that allows the Council and the City to readily compare our progress with other UK and international cities working to achieve similar targets (e.g. the SCATTER model developed by Manchester University).

• Develop and deliver an engagement plan / City Assembly process to harness the knowledge and enthusiasm of partners and local residents.

• Develop a high-level plan to meet the 2030 target – delivered through a coordinated programme of projects.

• Develop a communications plan to support activities and engagement.

• Continue to collate information on our current carbon reduction initiatives and assess the contribution these will make to the 2030 target.

The MWG also oversees the allocation of funding from the Sustainability & Carbon Reduction Investment Fund, and all tasks incidental to that.

4. Reporting

The Board will report to Policy & Resources Committee, with recommendations as necessary.

6. Membership

Membership of the Board shall consist of 5 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

7. Meetings and Ways of Working

The timing and number of meetings will be dictated by the volume of business for the MWG. The Group will agree ways of working appropriate to the role and remit of the Group.

8. Review

These terms of reference may be reviewed and amended by the Policy & Resources Committee from time to time.

Appendix 3 – new member working groups and advisory bodies – Part 4

(i)&(ii): new member working groups:

CITY DOWNLAND ESTATE ADVISORY PANEL- TERMS OF REFERENCE

Introduction

Brighton and Hove City Council holds, in public ownership, 12,500 acres of Downland Estate surrounding and within the City of Brighton and Hove. The City Downland Estate covers the council's tenanted farmland and grazing land managed by the Estates Team and "conservation land" managed by Cityparks. The city is one of the largest landowners in the South Downs and its estate is the largest publicly owned estate in the Park.

Some years ago, the council adopted a City Downland Estate policy whose overarching aim and vision is to: *reconnect the people of Brighton & Hove to a more biodiverse Downland with better education, improved access and a better sense of connection to the land*

ETS Committee in July 2013 adopted the policy statement to:

'Sustain natural resources provided by the council's downland estate by working in partnership with relevant stakeholders and potential beneficiaries and pursuing an economically sustainable approach for the council and its tenant farmers.'

The City Downland Estate is mainly within the South Downs National Park which itself has two statutory purposes and a Special Duty:

- *To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;*
- *To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.*
- *Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.*

Brighton & Hove is part of the Living Coast UNESCO World Biosphere Region which extends from the Adur to the Ouse and covers the City Downland Estate. The core of the biosphere is BHCC land. The Biosphere has three key objectives:

- *To conserve and enhance nature*
- *To support sustainable human development*
- *To promote environmental awareness, knowledge, learning and engagement*

and six themes:

- *Urban Greening*
- *Strengthening our Natural Capital*
- *Thriving Communities – health, wellbeing & economy*
- *Climate Change & Carbon*
- *Awareness, Understanding & Engagement*
- *The Living Coast as a site for Research & Knowledge Sharing.*

There are other legislative drivers such as the Water Framework Directive which will shape future policy development for the City Downland Estate.

Two years ago, Brighton & Hove City Council passed a notice of motion committing it to net zero carbon emissions by 2030. Since then, the Corporate Plan passed under the Labour administration reiterates the commitment to net zero carbon emissions by 2030 and promises to promote and protect biodiversity. It undertakes to develop a new City Downland Estate plan to promote biodiversity, mitigate climate change and deliver health and social benefits for communities.

Asset Management Board

Within the council, the purpose of the Asset Management Board ('the Board') is to advise the Policy & Resources Committee and other relevant Policy Committees on policy, governance and strategies relating to the management of the Council's urban and rural estates, and how this relates to the Corporate Strategic Plan.

It currently has oversight of the city council's operational and non-operational portfolios. It reviews and monitors the management of the city council's urban and agricultural asset management policies. Among other things, it advises P&R Committee on maximising the use of the council's commercial assets in the context of the council's budget and the development of an asset investment strategy for the council's urban portfolio to reduce its latent risk and consolidate its performance. It continues to promote regeneration in the City, with a focus on low-cost housing, community wealth building and moving to a low-carbon economy. It advises on the implications of Brexit in relation to the council's urban and rural estates; agree an approach to define and measure social value in relation to the council's rural and urban estates and reviews the circumstances under which agricultural land can be identified for release or acquisition, alongside a wider review of the agricultural strategy in the council's Asset Management Plan (AMP) and considers the definitions of agricultural core and non-core property. It is currently (December 2020) advising on the development of a Whole Estate Plan for the City Downland Estate in partnership with South Downs National Park.

Property & Design are currently conducting a consultation on a Whole Estate Plan facilitated by community consultation experts Planning for Real around how we best protect the city's water, enhance biodiversity, improve access to the downland, regenerate the soil, encourage sustainable agriculture and mitigate and adapt to the

climate emergency, all within the context of the council's commitment achieve net zero carbon emissions by 2030.

The council is committed to making the consultation as inclusive and thorough as it can be, given the current Covid-related restrictions. To this end, it has sent postcards to around 140,000 households with Brighton & Hove addresses; is conducting a number of online Planning for Real Zoom sessions and is inviting input via the website and the Bang the Table platform.

Purpose of the Downland Advisory Panel

The council recognises that, in addition to engaging local residents, it particularly needs input from key stakeholders such as the SDNPA, the Downland Alliance, the Sussex Wildlife Trust, the Permaculture Trust, the Brighton & Hove Food Partnership, Southern Water, the Local Access Forum, the Brighton & Hove Estate Conservation Trust, BMECP/the Trust for Developing Communities and tenant farmers.

Following the initial round of Planning for Real consultations, it is proposed that these organisations be approached for specific input into the discussion and to gauge their interest in serving on the Advisory Panel.

Once the WEP is completed, the purpose of the Downland Advisory Panel will be to provide advice on its implementation within the SDNPA purposes and duty, the Biosphere objectives and the incorporation of BHCC Corporate Plan objectives around carbon neutral 2030 and community wealth-building. This means advice on policy development, plans and delivery. The Advisory Panel will report annually to the P&R Committee on implementation of the Whole Estate Plan and to the Asset Management Board on an ad hoc basis but at least twice a year.

The advice will be used to inform decisions made by the council to further its policy aims.

Day to day management of the estate will be undertaken by the council within policies agreed by the Council.

Membership

Membership of the Panel needs to reflect the main and varied interests in the Downland Estate, specifically, the interests of future generations and the city's BME communities, as well as bringing in different expertise from different organisations able to advise on aspects of Downland policy which will allow the purpose of the Panel to be met. Membership will be by invitation from the Council and the Panel and will be kept under review as the Advisory Panel develops.

- Farming representatives x 2
- Council officer representatives and Land Managing Agents
- 5 members, to reflect the constitution political party representations on the council
- SDNPA x 1
- Downland Alliance representative x1
- Sussex Wildlife Trust x 1 who should also represent the SWT's youth rangers
- BMECP/the Trust for Developing Communities x 1

- Permaculture Trust x 1
- Brighton & Hove Food Partnership x 1
- Moulsecoomb Forest Garden and Wildlife Project x 1
- Aquifer Partnership x 1
- Local Access Forum x 1
- Brighton & Hove Estate Conservation Trust x 1
- Sussex Partnership NHS Foundation Trust x 1
- The Living Coast x 1

Expert advice will need to be drawn on as required and decided by the Advisory Panel from, for example, investment and business experts, tourism professionals, the National Trust and ecologists.

Governance

The Advisory Panel will be chaired by the member from the party that currently holds the administration. The secretariat will be provided by Brighton and Hove City Council. While the Council's political make-up is represented on the Panel, members also have the opportunity to influence Downland policy through the Asset Management Board. The focus of the panel is on hearing from key stakeholders.

The schedule of meetings will need to be agreed by the Advisory Panel with regard to the level of advice requested. Each year the Council should set out its work programme with the Advisory Panel. This will provide an indication of the type and level of advice that is likely to be needed and a schedule of meetings can be established as required which also allows for flexibility.

Review

The work of the Advisory Panel is subject to review by the Asset Management Board. However, the Panel will report directly to the Policy & Resources Committee and shall do so at least once a year.

CROSS-PARTY WORKING GROUP FOR PLANNING POLICY – TERMS OF REFERENCE

Purpose

The purpose of the Cross-Party Working Group for Planning Policy ("the CPWGP") is to help the City Council develop and implement its Development Plans and Planning Policy Guidance as part of its activities, including partnership work with other agencies and bodies.

Status

The CPWGP shall be an advisory board to the Tourism, Equalities, Communities & Culture Committee. The CPWGP will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the CPWGP will be established on a cross party basis.

Areas of focus

The CPWGP will oversee the progress of the development and reviews of the Council's Development Plans and other Planning Policy Guidance, and review their content having regard to evidence, national planning policy and guidance, best practice and corporate priorities.

Reporting

The CPWGP will report to the Tourism, Equalities, Communities & Culture Committee, making recommendations as necessary.

Membership

Membership of the CPWG will consist of 3 elected Members, following nominations by the Group Leaders to reflect the political composition of the Council.

Meetings and ways of working

The timing and number of meetings will be dictated by the volume of business for the CPWGP. The Group will agree ways of working appropriate to the role and remit of the Group.

Review

These terms of reference may be reviewed and amended (subject to formal Policy & Resources Committee) by the Tourism, Equalities, Communities & Culture Committee from time to time.

(iii) Advisory bodies:

YOUTHWISE – TERMS OF REFERENCE

Purpose

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

Membership

• Councillors – usually one Member from each of the three political groups in the council who attend the Children, Young People and Skills Committee • Young people from different areas, groups and youth services in the city including representatives from the Youth Council, Children in Care Council, commissioned youth projects and other youth organisations. • Executive Director or Assistant Director for Families Children & Learning. • Youth workers to support young people if deemed necessary • Council Officer to oversee organisation and administration

Frequency – Every 3 months, with task and finish groups as agreed and additional meetings set up when deemed necessary. Young people to meet before the more formal meeting with councillors and senior officers.

Venue – The young people were keen to hold the meeting in various venues because it would be good to get to know other youth venues. Agreed to rotate venues across the city and include more formal meeting places to give young people that experience.

Agenda The young people would like the agenda going out well in advance (month before the meeting) so they have time to garner the views from the young people in their group so their voices can also be bought to the meeting. Agenda items can be proposed by young people, councillors or senior council officers.

Chairing The Chair of Children, Young People and Skills Committee Lead to chair the meeting with, if there is a volunteer, a young person.

Organisation/Administration Council Officer to organise the meeting, consult and agree an agenda, circulate papers a month in advance and type up notes from meeting and circulate. Communication We need to reach out to other young people; past members have been involved, mainly due to knowing and having a good relationship with a youth worker. It was agreed that we need a robust communication plan with the meeting dates, agenda items and how they can feed into the group published widely via various routes such as Facebook. It was agreed that further discussion is required on this.

Additional proposed text for the Introduction to Part 4, to clarify the role of Member Working Groups:

D. Member Working Groups – ad hoc and permanent

Member Working Groups may be set up to support the Council's decision-making in a particular area. They may be tasked with making recommendations and/ or comments to their parent Committee as a way of reducing Committee workloads.

Member Working Groups do not have decision-making powers. They are established on a cross party basis and substitutions are permitted. The Chair of each Member Working group will be appointed from the council's largest political group unless Policy & Resources Committee or other relevant Committee has made alternative express provision. While all Member Working Groups are expected to achieve consensus where possible, the Chair shall have the right to exercise a casting vote.

The principles for setting up a Member Working Group are as follows:

1. Member Working Groups may either be 'task and finish' member groups (time-limited for six months with the option of being extended once, for a further six months) or permanent groups (likely to be required for at least a year).

2. Permanent groups may only be established by the Council's Policy & Resources Committee or by Full Council, normally at the recommendation of the parent Committee. Their Terms of Reference are published in the Council's Constitution. They are reviewed annually and will only be retained where clear evidence of their effectiveness has been identified.

3. Ad hoc groups may be set up by any of the Council's Committees. The parent Committee must agree their Terms of Reference and will receive reports back on a regular basis (at least annually). Where there is a need to continue an ad hoc group for twelve months or more, then it must be established as a permanent Member Working Group. These Groups were previously sometimes referred to as 'Policy Panels', a term no longer in use.

4. All Member Working Groups will use a standard Terms of Reference template to ensure consistency and good governance and will normally include in their membership the Chair or Deputy Chair of the parent Committee.

Appendix 4 –the Scheme of Delegation to Officers – Part 6

Extract from the delegations to the Executive Director – Neighbourhoods, Communities and Housing

3. Housing Related Support Services

Subject to any instructions of the Chief Executive given from to time, to exercise the Council's functions in relation to housing related support services for adults generally.

~~Note: this power is delegated concurrently to the Executive Director of Health and Adult Social Care.~~

..

Extract from the delegations to the Executive Director – Adult Social Care

[..]

(3) **Section 75 Arrangements**

To exercise the Council's functions under or in connection with the adult social care and health partnership arrangements with health bodies made pursuant to Section 75 of the National Health Service Act 2006, to the extent that the arrangements permit an officer to exercise the functions.

~~(4) **Housing Related Support**~~

~~Subject to any instructions of the Chief Executive given from time to time,~~

~~(i) to be the lead director responsible for the co-ordinated commissioning and management of associated funds in relation to housing related support services;~~

~~(ii) to exercise the council's function in relation to housing related support services for adults generally.~~

~~*[Note: the power referred to in paragraph (5)(ii) above is delegated concurrently to the Executive Director of Housing, Neighbourhoods and Communities .]*~~

[..]

Extract from the delegations to the Executive Director – Economy, Environment & Culture

[..]

23. Environmental Awareness and Enforcement

To exercise all the functions of the Council regarding the promotion of environmental awareness, and to take all steps necessary to enforce the environmental powers available to the Council, including (but not limited to) all steps necessary or incidental to the enforcement of the offences described in the Council's Environmental Enforcement Framework or other relevant policy, concordant or strategic document in place at the relevant time.

Appendix 5: amends to the Council's Petition Scheme– Part 8.1

How to petition the Council – Petitions Scheme

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. You can send us a paper petition and/or set up an e-petition online through our website.

We expect all petitioners and signatories – who may be of any age – to live, work or study in the area of Brighton & Hove. For this reason, we require all petitioners and signatories to provide the full postcode of either their home address or the address of the organisation they work or study at when submitting a paper petition or signing an e-petition via the Council's website.

The expectation that supporters of a petition live, work and/or study in Brighton & Hove also extends to petitions presented via websites external to the Council.

How to submit a petition

Paper petitions and e-petitions submitted via the Council's website must include –

- a clear and concise statement covering the subject of the petition;
- what action the petitioners wish the Council to take;
- the name~~, address~~ contact details and postcode of the petition organiser so that we can contact them to explain how we will respond to the petition;
- the name~~, address~~ signature and postcode of any person supporting the petition;

.

~~Petitions can be signed by any person of any age who lives, works or studies in Brighton & Hove or who uses services provided by Brighton & Hove City Council.~~

Petitions must relate to what the Council does or relate to an improvement in the economic, social or environmental well-being of the area covered by Brighton & Hove City Council to which any of our partner authorities[1] could contribute.

[..]

Council	Agenda Item 25
15 July 2021	Brighton & Hove City Council

Subject:		**Review of the Code of Conduct for Members and Related Documents – Extract from the proceedings of the Audit & Standards Committee meeting held on the 29 June 2021**		
Date of Meeting:		**15 July 2021**		
Report of:		**Executive Lead Officer for Strategy, Governance & Law**		
Contact Officer:	Name:	**John Peel**	**Tel:**	**01273 291058**
	E-mail:	john.peel@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

Action Required of Council:
To consider the report and the recommendation from the Audit & Standards Committee.
Recommendation:
That the full Council formally approve a revised Code of Conduct for Members as outlined in para 4.1 of the report and Appendix 1.

BRIGHTON & HOVE CITY COUNCIL

AUDIT & STANDARDS COMMITTEE

4.00pm 29 JUNE 2021

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Yates (Chair) Hugh-Jones (Group Spokesperson) and Meadows (Group Spokesperson)

Independent Members present: Helen Aston

PART ONE

11 REVIEW OF THE CODE OF CONDUCT FOR MEMBERS

11.1 The Committee considered a report of the Executive Lead, Strategy, Governance & Law that updated this Committee on the work of the cross party Member Working Group appointed to review the Council's Code of Conduct for Members and related arrangements, and to sought Committee approval to Full Council for revised versions of the Code of Conduct for Members and the other key documents indicated below.

11.2 The following Officer correction was made to the recommendations as shown in bold italics and where struckthrough:

2.1 **That the Audit & Standards Committee** recommends to Full Council that it formally approve a revised Code of Conduct for Members as outlined in para 4.1 and attached here as Appendix 1.

2.2 **That the Audit & Standards Committee ~~review and~~ approve the documents appended to this Report** as Appendices 2 & 3**, which incorporate:**

- ~~The Code of Conduct for Members~~
- Guidance on Correspondence
- The Procedure for Dealing with Allegations of Misconduct by Members

11.3 In response to requests from Members for Standards training, the Senior Lawyer clarified that scheduling efforts were underway to find a suitable date as well as a refresher session that alerted Members to the proposed changes.

11.4 In response to queries from Members, the Executive Lead Officer, Strategy Lead Officer clarified that, subject to approval, the revised Code of Conduct for Members would be submitted to Full Council for approval. Further, Full Council would be notified in the event a Standards Panel found a substantial breach of the Code of Conduct by Members.

11.5 The Executive Lead Officer noted that that the number of Member complaints over the past two years was significantly more than could be managed by the Authority and part of the revisions to the Code of Conduct were designed to enable officers in liaison with the Independent Persons to resolve complaints and early and as quickly as possible.

11.6 **RESOLVED TO RECOMMEND:**

1) That the Audit & Standards Committee recommends to Full Council that it formally approve a revised Code of Conduct for Members as outlined in para 4.1 and attached here as Appendix 1.

RESOLVED:

2) That the Audit & Standards Committee approve the documents appended to this Report as Appendices 2 & 3, which incorporate:

- Guidance on Correspondence
- The Procedure for Dealing with Allegations of Misconduct by Members

AUDIT & STANDARDS COMMITTEE COUNCIL	Agenda Item 11 Brighton & Hove City Council

Subject:		**Review of the Code of Conduct for Members and related documents**		
Date of Meeting:		**29 June 2021**		
Report of:		**Head of Law and Monitoring Officer**		
Contact Officer:	**Name:**	**Victoria Simpson, Senior Lawyer – Corporate Law**	**Tel:**	**01273 294687**
	Email:	**Victoria.Simpson@brighton-hove.gov.uk**		
Ward(s) affected:		**All**		

FOR GENERAL RELEASE

1 PURPOSE OF REPORT AND POLICY CONTEXT

1.1 To update this Committee on the work of the cross party Member Working Group appointed to review the Council's Code of Conduct for Members and related arrangements, and to seek Committee and Full Council approval for revised versions of the Code of Conduct for Members and the other key documents indicated below.

2 RECOMMENDATIONS

2 Audit & Standards Committee

2.1 That the Audit & Standards Committee recommends to Full Council that it formally approve a revised Code of Conduct for Members as outlined in para 4.1 and attached here as **Appendix 1.**

2.12.2 That the Audit & Standards Committee view and approve the documents appended to this Report as **Appendices 2 & 3**, which incorporate:

- The Code of Conduct for Members ('the Code of Conduct')
- Guidance on Correspondence
- The Procedure for Dealing with Allegations of Misconduct by Members

Full Council

2.3 That Full Council approve the proposals outlined at para 4.1 and attached as **Appendix 1.**

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3 CONTEXT

3.1 The Council last reviewed its standards arrangements in January 2020 against the extensive Report on Local Government Ethical Standards compiled by the Committee on Standards in Public Life ('the CSPL'). At that time, this Committee considered the detailed work carried out by a cross party working group of members of this Committee and approved that working group's recommendations

by updating the Code of Conduct and the Procedure for Dealing with Allegations of Breaches of the Code of Conduct by Members ('the Procedure') to incorporate some key CSPL recommendations.

In the context of the increase in the number of complaints reported to this Committee in January 2021, a cross-party member working group was directed to review the Council's options for further reviewing the Code of Conduct and to consider amending the arrangements the Council has in place to discharge the requirement that it maintain a process for determining allegations of misconduct by members. Representatives of all of the Council's three political Groups were invited to participate, as were the Council's Independent Persons. The two elected members who did agree to participate met virtually with one of the Council's Independent Persons twice in order to carry out a detailed review of the arrangements referenced here. That review process took into account the LGA model Code of Conduct which was published at end of December 2020. The recommendations outlined here are proposed in order to assist the Council in updating its Standards arrangements and streamlining them as far as possible.

4 PROPOSALS

Code of Conduct

4.1 The Council's existing Code of Conduct for Members was reviewed in a detailed way against the model Code of Conduct generated by the Local Government Association ('the LGA'). The result is a proposal for a reworked Code which is appended here as **Appendix 1** without tracked changes for clarity, given the number of revisions. The proposed text retains some key aspects of the Council's existing arrangements, including the current definition of 'other interests' as well as current thresholds in relation to gifts & hospitality and the expectation that these be registered. It does this by adopting the overarching approach suggested by the LGA, including its style and format. It applies the template's use of bold text to indicate the requirements of the Code from 'General Conduct' at page 5 onward, followed by ordinary font to provide guidance on the provision's application. The net result is an amended and updated Code of Conduct which is bespoke to this Council.

Guidance for Members on Correspondence

4.2 It is proposed that the current Guidance on Correspondence and the Use of Social Media for Members be renamed to reinforce the point that social media communications are no different to other types of correspondence. The Guidance document attached as **Appendix 2** aims to achieve a series of objectives. Amongst other things it acknowledges the issues members may face in a situation where they may be joined into an increased number of (mainly online) communications. It aims to help ensure clarity and to assist in managing expectations regarding input and response times, while emphasising that members have discretion to respond as they see fit, d in a way which reflects what they consider the most effective way of working.

The Guidance also seeks to reinforce the expectation not just that members are respectful to others but also that they are themselves treated with civility by those communicating with them. It clarifies the steps members may take when that does not happen. It is proposed that the amended Guidance is published on the Council's website as a means of providing greater clarity re what ward constituents and other stakeholders may reasonably expect when they contact an elected member.

Procedure for Dealing with Allegations of Misconduct

4.3 A series of changes are proposed to the Council's Procedure for dealing with complaints (**Appendix 3**). Part of the member working group's remit was to streamline existing process where possible. The proposed Procedure takes into account the recommendation of the CSPL that a clear public interest test be published against which complaints are assessed. It builds in a more detailed test against which it is proposed that all complaints be assessed, with the overall objective of ensuring that complaints are referred for formal investigation and)if relevant) for determination by a Standards Panel only where doing so is considered to be necessary and proportionate in the public interest.

4.4 Other proposals for change include making provision for the investigating officer not to make a 'finding' following formal investigation of a breach but rather to outline the facts without taking an indicative view. It is further proposed that the default expectation be that full Council is informed when a Standards Panel find that a breach has occurred. A further change proposed is that the ambition of determining complaints within a set timescale be replaced by an expectation that all complaints be determined promptly and without undue delay: a proposal which acknowledges that the existing ambition to determine all complaints within three months is not one which has been met in any instance where a formal investigation has taken place in the last several years. It is also proposed that the timescale for making a decision at preliminary assessment stage is extended to 28 days. This is considered to be a more achievable target, not least because the proposed Procedure incorporates an additional step whereby the subject member's version of events is sought at preliminary assessment stage. It is emphasised that these adjusted timescales will not prevent complaints being taken earlier where possible, in accordance with the overall objective of determining complaints as promptly as possible.

5 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

5.1 The Council is obliged under the Localism Act to make arrangements for maintaining high standards of conduct among members and to make arrangements for the investigation of complaints. The current arrangements and the proposals in this Report reflect this. No alternative proposals are suggested.

6 COMMUNITY ENGAGEMENT & CONSULTATION

6.1 No need to consult with the local community has been identified.

7 CONCLUSION

7.1 Members are asked to note the contents of this Report, and to approve the recommendations, which aim to assist the Committee in discharging its responsibilities for overseeing that high standards of conduct are maintained in a way which is compliant with local requirements.

8 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

8.1 There are no additional financial implications arising from the recommendation in this Report. All activity referred to has been, or will be, met from existing budgets.

Finance Officer Consulted: James Hengeveld Date: 11/06/21

Legal Implications:

8.2 These are covered in the body of the Report.

Lawyer Consulted: Victoria Simpson Date: 29/5/21

Equalities Implications:

8.3 There are no equalities implications arising from this Report

Sustainability Implications:

8.4 There are no sustainability implications arising from this Report

Any Other Significant Implications:

8.5 None

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 - Code of Conduct for Members
Appendix 2 - Guidance on Correspondence
Appendix 3 - Procedure for Dealing with Allegations of Misconduct by Members

Background Documents:

1. The report on Local Government Ethical Standards published by the Committee on Standards in Public Life on 20.01.19.
2. Local Government Association Model Councillor Code of Conduct 2020 | Local Government Association

Brighton & Hove City Council

Code of Conduct for Members

The role of Councillor is a vital part of our country's system of democracy. It is important that as Councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual Councillor affects the reputation of all Councillors. We want the role of Councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become Councillors.

As Councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a Councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

All councils are required to adopt a local Councillor Code of Conduct. Brighton & Hove City Council ('BHCC') has chosen to adopt a Code which is based on the Local Government Association's Model Councillor Code of Conduct, developed in association with key partners and after extensive consultation with the sector.

BHCC's Code of Conduct covers all elected Members and co-opted Members (together referred to in this Code as 'Member' or 'Members' as appropriate) of Brighton & Hove City Council whenever they are acting as a member or representative of the council or when they are behaving in a way which meets the description described in the paragraph entitled Application of the Code of Conduct below. The Code is reviewed regularly and in any event at least once every three years. The Independent Persons who are appointed to the Council's Audit and Standards Committee are also expected to abide by this Code in terms of the standards of behaviour they observe and by voluntarily declaring any interests they have in any matter under discussion at any meeting.

The requirements outlined in this Code regarding the Declaration of Interests at Meetings apply to formal meetings of the Council, its Committees and Sub-Committees and its joint Committees and Sub-Committees. Members are however encouraged to voluntarily declare at all meetings, both formal and informal, any facts which they consider may be relevant to the perception of their decision-making, this although they are not required to do so. The Code does not apply when Members are acting or appearing in the perception of a reasonable person to be acting in a purely private capacity.

This Code of Conduct should be read alongside the Council's corporate values: respect, collaboration, efficiency, openness, creativity, and customer focus, which are appended hereto.

All Members are bound by the requirements of the Equality Act 2010, which amongst other things prohibits discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. In addition, Members are expected to promote equality in their actions and behaviours.

When applying and interpreting this Code of Conduct, Members should have regard to the following policies and documents (as amended from time to time):

(a) Council Procedure Rules
(b) Arrangements regarding the Register of Members' Interests
(c) Practice Note – Use of Council Facilities
(d) Protocol for Members regarding planning applications
(e) Code of Conduct for Member/Officer Relations
(f) Guidance for Members on Correspondence
(g) Guidance on confidentiality

(h) Anti-fraud and Corruption Strategy
(i) Whistleblowing Policy

Definitions

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of a local authority. A "co-opted member" is defined in the Localism Act 2011 Section 27(4). It is a person who is not an elected member of the authority, but has both been co-opted onto one of its committees or subcommittees, or who sits on any joint committee or joint sub-committee of the authority and is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

The requirement to appoint at least one "Independent Person" and a description of that role is in Section 28(7) of the Localism Act 2011.

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, local authority officers and the reputation of local government. It sets out the general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

General principles of Councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and

- I lead by example and act in a way that secures public confidence in the role of Councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor. It may include when:

- you misuse your position as a Councillor, or
- your actions may or could give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor, or are such as to create the risk that such an impression could be generated.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and to show leadership at all times when acting as a Councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of Councillor conduct

This section sets out in bold type your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included in ordinary font to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a Councillor:

1.1 I treat other Councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personalised attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and its confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the Code of Conduct for Member/Officer Relations.

2. Bullying, harassment and discrimination

As a Councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person, nor do I cause the Council to breach any of its equality duties

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Officers of the council: impartiality and having regard to advice

As a Councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

3.2 When reaching decisions on any matter, I have regard to any relevant advice provided to me by any Council officer discharging the Council's functions, including the Council's–

(i) chief finance officer;
(ii) monitoring officer; or
(iii) chief executive and head of paid service

where that officer is acting pursuant to their statutory duties.

The Councils' officers play a key role in ensuring that the Council discharges its functions lawfully. For this reason, Members are required to have regard to any advice provided to them by officers discharging the Council's functions, particularly where the advice is given by officers appointed to any of the roles listed in (i), (ii) and/or (iii) above.

4. Confidentiality and access to information

As a Councillor:

4.1 I do not disclose information:

- **a. given to me in confidence by anyone**
- **b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - **i. I have received the consent of a person authorised to give it;**
  - **ii. I am required by law to do so;**
  - **iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - **iv. the disclosure is:**
    1. **reasonable and in the public interest; and**
    2. **made in good faith and in compliance with the reasonable requirements of the local authority.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not interfere with anyone seeking to obtain information which they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a Councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an

adverse impact on you, other Councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow Councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a Councillor:

6.1 I do not use, or attempt to use, my position or influence improperly to the advantage or disadvantage of myself or anyone else.

Your position and influence as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a Councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

a. act in accordance with the local authority's requirements; and

b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not attempt to interfere in any aspect of the investigation, administration or hearing of any complaint or matter.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a Councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow Councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Councillors when making or taking part in decisions, so that decision-making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

If in doubt about how to apply the Code's detailed provisions on registering and disclosing interests, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a Councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer within 28 days of receipt any gift or hospitality accepted by virtue of my office which constitutes either a) a single instance of a gift or hospitality worth more than an estimated value of £50 or alternatively constitutes b) two or more instances of gifts or hospitality received in from a single source in any given year which taken together have a total estimated value in excess of £100.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves,
their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B -
Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1** (**Disclosable Pecuniary Interests**) which are as described in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests**).

You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.

Disclosable pecuniary interests
These are an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below. In this context, "Partner" means a spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

Non participation in case of a Disclosable Pecuniary Interest
Where a matter arises at a meeting of the Council, one of its committees or sub committees (or at a joint committee or sub committee) which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must

- disclose the interest
- not participate in any discussion or vote on the matter and
- leave the room (in accordance with Council Procedure Rule 25.4) while any discussion or voting takes place.

Note: if your interest is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Nb It is a criminal offence to fail to notify the Monitoring Officer of a disclosable pecuniary interest (as defined in **Table 1**), to take part in discussion or votes at meetings or to take a decision, where you have a Disclosable Pecuniary Interest, without reasonable excuse. It is also an offence to knowingly or recklessly provide false or misleading information to the Monitoring Officer in connection with the registration and/or declaration of Disclosable Pecuniary Interests.

Other Registerable Interests
Members may have an interest in a matter under consideration even where they do not have a Disclosable Pecuniary Interest. You must register Other Registrable Interests which are defined as follows (also duplicated in **Table 2** below):

- Any body of which you are in a position of general control or management
- Any gift or hospitality which you have accepted by virtue of your office and which constitutes either a) a single instance of a gift or hospitality worth more than an estimated value of £50 or alternatively constitutes b) two or more instances of

gifts or hospitality received in from a single source in any given year which taken together have a total estimated value in excess of £100.

Other Interests which need not be registered
There is a further category of 'Other Interests' which do **not** need to be registered. These are as follows:

- Any interest of a financial nature which is not a Disclosable Pecuniary Interest, whether of you, your spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners

Non-participation in the case of an Other Interest
Where a matter arises at a meeting which directly relates to any Other Interest (whether Registrable or not), then you must declare that interest at the meeting.

In order to determine whether – after declaring your interest – you may remain in the room and take part in any discussion or vote on the matter then you must consider:

> whether a) your interest is affected by the matter under consideration more than the interests of the majority of people in the area affected by the matter, and if so,
> whether b) a reasonable member of the public would think your judgement of the public interest would be adversely affected by your interest.

If you consider that a) and b) apply, then you may speak on the matter only if members of the public are allowed to speak at the meeting, but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Note: if, having applied the above test, you consider you may continue participating in decision-making once you have declared your interest, then you will have a declarable **non-prejudicial interest**. Where you consider yourself unable to participate in decision-making then it will be because your interest is deemed to be a **prejudicial interest.**

Sensitive interests

A 'sensitive interest' is as an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation. Where you believe you have a 'sensitive interest' then you must notify the Monitoring Officer, explaining the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Where a matter arises at a meeting which relates to a sensitive interest then you are not required to disclose the nature of your interest, although you must nonetheless declare the fact that you have an interest and must follow the rules regarding participation.

Dispensations

On a written request made to the council's Monitoring Officer, preferably in advance of the meeting, the Monitoring Officer may – following consultation, where reasonably practicable, with either one of the Independent Persons or the Chair of Audit & Standards Committee – grant a Member a dispensation to participate in a discussion and/or vote on a matter at a meeting where they would otherwise not be allowed to if the Monitoring Officer believes 1) that the number of Members otherwise prohibited from taking part in the meeting would be so great a proportion of the relevant body as to impede the transaction of the business; or 2) considers that without the dispensation the representation of different political groups would be so upset as to alter the likely outcome of any vote; or 3) considers that it is in the interests of the inhabitants in the council's area to allow the Member to take part; or 4) considers that it is otherwise appropriate to grant a dispensation.

Members are not required to register or declare an interest that is shared with ordinary members of the public living or working in the area (such as the payment of, or liability to pay, council tax, or having bins collected) or that arises simply from being a Member (such as Members' allowances); or where the interest is otherwise de minimis.

Accordingly, no Member will need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax reduction schemes, because it is a decision affecting the generality of the public in the council's area, rather than one or more individual..

It is at all times the responsibility of each individual member to monitor whether they have any disclosed or as yet undisclosed interests in matters under consideration and to declare and register these where necessary.

Appendix C – the Committee on Standards in Public Life

Brighton & Hove City Council has adopted this Code having considered the work carried out by the Local Government Association while the Government continues to consider the recommendations made by the Committee on Standards in Public Life ("the CSPL") in their report on Local Government Ethical Standards. Should the Government choose to implement any of the recommendations, then this Code will be further updated as necessary.

The CSPL recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring Councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by Councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both Councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish Councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

Appendix D - Brighton & Hove City Council – corporate values.

Article 1 of the Council's Constitution commits the Council to exercising all its powers and duties in accordance with the law and this Constitution, this in pursuit of the Council's purpose, ambition, priorities and values. Those are set out in the Council's Corporate Plan 2020 to 2023 and are summarised below.

Our **purpose** is to provide strong civic leadership to achieve our vision of a fairer city with a sustainable future. The Council's Corporate Plan sets out the overall direction for the Council. Our vision and priorities are described in the Plan.

We will be successful if we deliver our six priority outcomes, which are:

- A city to call home
- A city working for all
- A stronger city
- A growing and learning city
- A sustainable city
- A healthy and caring city

Our **values** describe the principles and professional behaviour required to modernise the Council:

- Collaboration
- Respect
- Openness
- Efficiency
- Customer focus
- Creativity

Our **service priorities** are set out in directorate and service plans which are published on our website.

2.2 In the achievement of its priorities, the Council will be guided by the Sustainable Community Strategy developed in partnership with local communities and the need to achieve best value in the delivery of services. The Local Strategic Partnership is responsible for developing the Sustainable Community Strategy and providing, together with the Council, community leadership and representation.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the Councillor or his/her spouse or civil partner or the person with whom the

	Councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the Councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the Councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Councillor, or his/ her spouse or civil partner or the person with whom the Councillor is living as if they were

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* ‘director’ includes a member of the committee of management of an industrial and provident society.
* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act
2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- any body of which you are in a position of general control or management, or
- Any gift or hospitality which you have accepted by virtue of your office and which constitutes either a) a single instance of a gift or hospitality worth more than an estimated value of £50 or alternatively constitutes b) two or more instances of gifts or hospitality received in from a single source in any given year which taken together have a total estimated value in excess of £100.

Brighton & Hove City Council

Procedure for Dealing with Allegations of Breaches of the Code of Conduct by~~for~~ Elected and co-opted Members

1. Introduction and legal framework

1.1 This procedure is made in accordance with section 28(6) of the Localism Act 2011 which requires the council to have in place arrangements for investigating and determining allegations that a member or co-opted member of the council has failed to comply with its Code of Conduct for Members.

1.2 This version of the procedure supersedes all previous versions.

1.3 The Code of Conduct to which this procedure relates was originally adopted by the Council in 2012 in accordance with section 27 of the Localism Act 2011, has been updated regularly ~~undergone minor revision~~ since then. It is ~~, and is~~ set out at Part 8.1 in the Council's Constitution

2. Principles

The principles underpinning the procedure are:

(i) the imperative of generating and maintaining ~~a drive to engender~~ member and public confidence that allegations of member misconduct will be dealt with effectively ~~and~~ efficiently and proportionately ;

~~(i)~~

(ii) that all parts of the process will reflect the Council's commitment to resolving complaints against members ~~Standards Panels reach their findings~~ in a such a way that is proportionate, transparent and fair to all parties~~ly and independently~~;

(iii) that complaints are only referred for formal investigation and thereafter (if relevant) for determination by a Standards Panel where doing so is considered to be proportionate and necessary in the public interest;

Dated ~~Updated January 2020~~XX

~~(iii)~~(iv) that Standards Panel hearings are ~~be~~ conducted openly~~,~~ wherever possible

3. Making a complaint

3.1 If a person wishes to make a complaint about Member conduct, they should write to:

The Monitoring Officer
c/o Standards c~~and C~~omplaints
Brighton & Hove City Council
Hove Town Hall
Hove BN3 3BQ

Or use the following Web link: Councillor Complaint

3.2 The complainant will be asked to provide their name and a postal or email address. Only complaints from named individuals will be accepted.

3.3 Council officers wishing to complain about Member conduct are recommended to use the Code of Conduct for Member/Officer Relations but still have the option of using the complaints procedure set out here.

3.4 The Monitoring Officer will inform the complainant that their complaint will be assessed against the Code of Conduct for Members and that they may if they wish seek the views of one of the Council's Independent Persons.

3.5 The Monitoring Officer will acknowledge receipt of the complaint within 5 working days of receiving it, and will send the complainant standard information about the Council's policy on disclosing their identity, as set out in paragraph 4.2 below~~; and will require the complainant to confirm their agreement to this policy, in order for the complaint to proceed.~~

3.6 ~~The Council aims to complete the complaint process within a maximum of three months from receipt.~~

3.7 Once a complaint has been made to ~~filed with~~ the Monitoring Officer, it may only be with~~not be with~~drawn by the complainant where the Monitoring Officer considers (in accordance with the principles outlined at para 2(iii) above) that doing so is proportionate and necessary in the public interest~~without the consent of the complainant, the subject member and the Monitoring Officer~~.

3.8 At an early stage in communications, the Council will discourage all parties – both the complainant and the subject member, as well as any

other parties - from seeking actively to publicise the matter before the complaint has been fully determined.

3.9 The potential for a conflict of interest to arise will be considered when the complaint is first received in, and will be kept under subsequent review. If any actual or potential conflicts are identified, then appropriate arrangements will be made to prevent them impacting negatively on the process.

3.10 All complaints are expected to be determined promptly and without undue delay.

4. Information provided to the Member complained about

4.1 The Member against whom the complaint is directed (the 'subject member') will be notified that a complaint has been received as soon as possible and in any event within 5 working days of the council receiving it, unless the Monitoring Officer considers that doing so may prejudice any investigation into the complaint.

4.2 The Monitoring Officer will provide the subject member with all documentation relevant to the complaint, including the identity of the complainant except where doing so might compromise the complainant's safety (see also paragraph 6.2 below).

4.3 When notifying the subject member of the complaint, the Monitoring Officer will offer them the opportunity (within a defined timescale) to provide information and/or make any representations which they consider may assist at preliminary assessment stage.

4.4 The subject member will be alerted at an early stage that they may - if they wish - obtain input from an Independent Person not otherwise involved in the complaint at preliminary assessment stage. If they indicate they wish to do so, then the Monitoring Officer will facilitate a process whereby they receive confidential input from the Independent Person. This input will be provided in in accordance with the Independent Person's statutory role and may involve their expressing their view on possible next steps in the handling of the complaint.

5. Preliminary assessment

5.1 Subject to paragraph 5.2, the Monitoring Officer will, in consultation with one of the Independent Persons, carry out a preliminary assessment in order to determine what action should be taken.

5.2 The Monitoring Officer reserves the right to refer the preliminary assessment to the Standards Panel in respect of any complaint.

Dated ~~Updated January 2020~~XX

5.3 The Monitoring Officer will seek to complete their~~his/her~~ preliminary assessment promptly and in any event within ~~10 working~~28 days of receiving a valid complaint. This~~, although the~~ process may on occasion take longer if additional ~~more~~ information is required from the complainant or subject member (or both) for a proper assessment to be made.

5.4 Pursuant to paragraph 5.3, the Monitoring Officer may – having regard to the views of the relevant Independent Person – undertake ~~small-scale~~ preliminary enquiries directly related to the complaint~~,~~ to help determine whether a formal investigation is required.

5.5 In the course of the ~~Based on the~~ preliminary assessment, the Monitoring Officer may decide **not** to progress the complaint having first consulted with the Independent Person and having applied the following tests: ~~where –~~

a) can we investigate the complaint?
• Is the person being complained about a councillor?
• Did the conduct occur within the last six months?
• Is the conduct something that is covered by the code?

b) should we investigate the complaint?
• Is there sufficient evidence to support the complaint?
• Is the conduct something which it is possible to investigate?
• Would a formal investigation be proportionate and necessary in the public interest?

~~(i) the complaint is vexatious or frivolous in nature;~~
~~(ii) if proven, the complaint would not amount to a breach of the code of conduct for members; or~~
~~(iii) it would not be in the public interest to do so.~~

5.6 Throughout the process, the Monitoring Officer will keep under review all informal options available to them for resolving the complaint, including informal settlement (whether by apology or other remedial action, or mediation), including as outlined in para 5.8 below.

5.7 Where the complaint is considered to satisfy the tests outlined in ~~circumstances in~~ paragraph 5.5 a) and b), ~~do not apply,~~ the Monitoring Officer may:

(i) seek to resolve the complaint informally in accordance with paragraph 5.6 above, or~~;~~
(ii) arrange for the complaint to be formally investigated;

5.7 An informal resolution may involve the Member accepting that his/her conduct was unacceptable and offering an apology, and/or some other action on their part. Where the Member makes a reasonable offer of

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informal resolution, but the complainant is not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation. In any event, the Monitoring Officer retains the discretion to resolve matters informally having consulted with the parties as well as with one of the Independent Persons.

5.8 Where the complainant and subject member have consented to resolve the complaint informally by a particular means (for example, by written apology), the member should co-operate with and adhere to the terms of that resolution in accordance with the requirements of the Code of Conduct for Members~~at measure~~.

5.9 Complaints settled informally, whether at this stage or during the course of a formal investigation, will be reported to the Audit & Standards Committee but without naming the parties involved. Complaints which proceed to formal hearing and which conclude with the finding of a substantive breach will normally be reported to full Council in any event.

5.10 Where the parties attempt to resolve the matter informally but fail to reach a mutually agreeable outcome, the matter ~~will, subject to 5.7 above,~~may be referred for formal investigation after the tests in para 5.5 a) and b) have been applied. ~~.~~ In any ~~the~~ subsequent report to a Standards Panel, it will be stated that informal resolution was attempted but did not succeed, although a detailed account of the ~~. Details of the~~ negotiations ~~comprising those attempts~~ will not be published.

5.11 If the complaint identifies conduct which, on the face of it, is a criminal offence or regulatory breach by any person, the Monitoring Officer may refer the matter to the Police and/or appropriate regulatory body as well as, or in lieu of, an investigation by the council.

5.12 On completion of the preliminary assessment, the Monitoring Officer will inform the - complainant and subject member of ~~his/her~~their decision regarding next steps, giving ~~, with~~ reasons.

6. Formal Investigation

6.1 If the Monitoring Officer has applied the tests outlined above in para 5.5 above and has additionally considered all available options for informal resolution (paras 5.6 and 5.8) and nonetheless decides that a complaint merits formal investigation, they ~~he/she~~ will appoint an Investigating Officer. The Investigating Officer ~~, who m~~may be another officer of the council, an officer of another local authority or an external investigator. The Investigating Officer will, subject to any direction from the Monitoring Officer, have discretion as to how the investigation is carried out.

Dated ~~Updated January 2020~~XX

6.2 The Investigating Officer will ask the complainant and the Member to provide their detailed explanation of events, and will identify what documents he/she needs to see and whom he/she needs to interview. In exceptional cases, it may be appropriate to keep the identity of the complainant, witnesses, or key documents confidential where disclosure might prejudice the investigation.

6.3 The Investigating Officer will produce a draft report and send copies, in confidence, to the complainant and subject member, to give both an opportunity to identify any matter in the report which they feel requires more consideration.

6.4 Having received and taken account of any comments on the draft report, the Investigating Officer will send ~~his/her~~their final report to the Monitoring Officer. If the Monitoring Officer is not satisfied that the investigation has been conducted properly or that aspects of the report require revision or clarification, ~~he/she~~they may ask the Investigating Officer to reconsider their ~~his/her~~ report.

6.5 Copies of the final report will be sent to the complainant and to the member concerned.

6.6 During the investigative process, the Investigation Officer will keep the Monitoring Officer informed regarding progress. At any point during the investigation process, the Monitoring Officer may review the complaint against the tests in para 5.5, halting the investigation if necessary to actively consider options for resolving matters informally pursuant to paras 5.6 and 5.7.

~~6.6~~6.7 If informal resolution is contemplated, then the Monitoring Officer will ~~may~~ consult the parties on their views as an alternative to continuing ~~as to whether they would accept an informal settlement rather than continue~~ with the formal investigation. The process of consultation will involve offering the complainant and subject member the opportunity to make representations, which will be taken into account by the Monitoring Officer when making their decision. ~~Having had regard to the wishes of the parties and the views of the Independent Person, tThe Monitoring Officer may at any point halt the investigation in order to and seek to resolve the matter informally.~~ While resuming the ~~Should that course of action prove unsuccessful, the~~ formal investigation (if one is already underway) would remain an option in such a situation, ~~would normally be resumed. However~~ the Monitoring Officer retains the discretion to resolve matters informally where they consider that an informal resolution is proportionate and ~~necessary~~ in the public interest having first consulted with the parties as well as with one of the Independent Persons ~~where s/he considers that doing so to be in the public interest~~. Where a matter is determined by informal resolution after it has been referred for formal investigation, then

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reasons will be provided to the parties when they are notified of that outcome.

7. Investigation Outcomes

7.1 On completion of a formal investigation, the ~~findings available to the~~ Investigating Officer has available to them a series of options in ~~in~~ respect of each element of the allegation of a breach of the Code of Conduct. These are ~~considered relevant are~~:

(i) To make a preliminary finding that no breaches have occurred
~~(i) A substantive breach~~To outline the facts and highlight material considerations without making a preliminary finding or taking an indicative view.
(ii) To take an indicative view that one or more breaches (whether technical, minimal or substantive) have occurred
~~(ii) A technical but minimal breach~~
~~(iii) No breach~~

7.5 Preliminary finding of no breach

7.5.1If the Investigation finds no breach of the code of conduct, and the Monitoring Officer considers – after consultation with the Independent Person – that there is no public interest in pursuing the matter further, they will contact both parties to ask if they accept the finding and are willing to end the matter there. If they respond in the affirmative, the Monitoring Officer will confirm to the parties in writing that the complaint will be taken no further. If either party rejects the finding or is not willing to conclude the matter, they may make representations to the Monitoring Officer as to why the complaint should nonetheless be referred to the Standards Panel. However the Monitoring Officer retains the discretion to decide to resolve the matter informally, without referral to a Panel.

7.5.1 Similarly the Monitoring Officer may, having consulted one of the Independent Persons, refer the complaint to the Standards Panel, even where the investigation finds no breach and the parties are willing to terminate the matter.

7.2 Outline of the facts without making a preliminary finding

Where the Investigating Officer does not make a finding or take an indicative view as to whether or not a breach has occurred, then it is for the Monitoring Officer to decide in consultation with the Independent Person whether referring the complaint to a Standards Panel for determination is proportionate and necessary in the public interest or whether to resolve matters informally. The Monitoring Officer may make this decision themselves or refer this decision to a Panel, as long as the parties to the complaint have first been given the opportunity to make representations which have been taken into

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account and the Independent Person has been consulted. Reasons for such a decision will be given

7.2 3 **Indicative view: sSubstantive breach.**

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Where the Investigating Officer finds that the subject member has substantively breached one or more elements of the code of conduct, the Monitoring Officer will normally refer the complaint to the Standards Panel for determination.

However where the Monitoring Officer considers exceptionally that it would not be proportionate and necessary in the public interest to refer the breach to a Standards Panel and has consulted with one of the Independent Persons, then provided that that Independent Person agrees, the Monitoring Officer may recommend to the parties that the matter be settled informally and invite the parties to make representations regarding whether or not they agree. While either the complainant or the subject member may request that the matter be referred to a Panel for determination, the Monitoring Officer will retain the discretion to resolve matters informally having consulted with all of the parties.

7.43 **Indicative view: tTechnical but minimal breach.**

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7.34.1 This finding reflects a set of circumstances where the conduct complained of does – on a strict interpretation – amount to a breach of the code, but little or no culpability attaches to the subject member. This could occur, for example, where the member had made an unintentional and minor administrative error on their declaration of interests by recording relevant information but under the wrong class of interest.

7.34.2 Where the Monitoring Officer, after consultation with one of the Independent Persons, considers that it would not be in the public interest to refer a technical but minimal breach to a Standards Panel, he will recommend to the parties that the matter be settled informally. While either party may request that the matter is referred to a Panel for determination, the Monitoring Officer will retain the discretion to resolve matters informally having consulted with all of the parties.

~~7.4 **No breach**~~

~~7.4.1 If the Investigation finds no breach of the code of conduct, and the Monitoring Officer considers – after consultation with the Independent Person – that there is no public interest in pursuing the matter further, he will contact both parties to ask if they accept the finding and are willing to end the matter there. If they respond in the affirmative, the Monitoring Officer will confirm to the parties in writing that the complaint will be taken no further. If either party rejects the finding or is not willing to conclude the matter, they may make~~

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~~representations to the Monitoring Officer as to why the complaint should nonetheless be referred to the Standards Panel. However the Monitoring Officer retains the discretion to decide to resolve the matter informally, without referral to a Panel.~~

~~7.4.2 Similarly the Monitoring Officer may, having consulted one of the Independent Persons, refer the complaint to the Standards Panel, even where the investigation finds no breach and the parties are willing to terminate the matter.~~

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8. Standards Panel

8.1 As soon as reasonably practicable after referring a completed investigation to the Standards Panel for hearing and determination, the Monitoring Officer shall convene a meeting of the Panel.

8.2 The Monitoring Officer shall select the persons to comprise a Standards Panel, in accordance with the following criteria:

8.2.1 Membership of a Standards Panel is restricted to persons who –

(a) are a member of Audit & Standards Committee; and
(b) have attended the necessary training and re-training sessions specific to these Panels

8.2.2 The Panel shall consist of 3 or 5 elected members, appointed on a cross-party basis, plus one Independent Person who shall chair the Panel but not vote.

8.2.3 If more than the minimum number of qualified persons (pursuant to paragraph 8.2.1) are available for a particular Panel, selection will be based on (i) the criteria specified in 8.2.2 and (ii) in such a way that ensures a spread of experience across the Panel.

9. Arrangements for and Conduct of the Standards Panel Hearing

9.1 There is a presumption of openness with regard to Panel hearings. Hearings will be conducted in open session unless the Panel resolve that the public be excluded on one or more of the grounds permitted under Part VA of the Local Government Act 1972.

9.2 Where the hearing itself is open to the public, the Panel's deliberations following the hearing will be held in private.

9.3 Care is needed to ensure that the published report detailing the allegation and investigation does not unlawfully disclose personal or sensitive personal data of any party. Accordingly, the Monitoring Officer shall have discretion to redact material from the published report where necessary for data protection purposes.

Dated ~~Updated January 2020~~XX

9.4 Where the complaint concerns the use of an offensive word or expression, the wording will not be repeated in the Panel report more than is necessary and in any event placed within inverted commas, to indicate the words were those allegedly used by the subject member.

9.5 To coincide with the publication of the hearing report, the Council shall (unless the Panel is being advised to consider excluding the public from the hearing) issue a press release about the hearing, which shall include an explanation of the Independent Person's role. Advice will be sought from the council's ~~Head of~~ Communications team regarding ~~as to~~ the precise content of the release.

9.6 The Independent Person, in their ~~his/her~~ capacity as Panel chair, may – after consulting the Monitoring Officer – issue directions as to the manner in which the hearing is to be conducted.

9.7 Adequate security must be in place throughout the hearing, to protect Panel members and other parties actively involved in the hearing against threats or intimidation.

9.8 Arrangements must be made to ensure the privacy of the Panel while in recess following the hearing.

9.9 Arrangements must enable the Panel to conduct their deliberations in recess without feeling pressurised to reach a decision within a set time.

10. Reaching a Decision

10.1 In accordance with statutory requirements, the voting members of the Panel must seek and take into account the views of the Independent Person before reaching their decision in respect of the allegation.

10.2 The Panel should, where possible, reach their decision by consensus and vote by acclamation. Where there is disagreement, the matter shall be put to a vote with Members voting for or against the proposal..

10.3 The decision of the majority of the Panel Members shall constitute the decision of the Panel. The Chair, being an Independent Person, shall not be permitted to vote or exercise a casting vote.

10.4 In the event that no majority decision can be reached (e.g. where one voting member felt unable to decide the allegation), the Panel will make no finding and a fresh Panel shall be appointed to re-hear the complaint.

10.5 The decision of the Panel should be owned collectively by all its Members and Panel Members should, as far as reasonably practicable, avoid statements or actions that undermine public confidence in the complaints process.

Dated ~~Updated January 2020~~XX

11. Range of decisions available to the Standards Panel

11.1 Having heard the allegation, the Standards Panel may –

(i) find that the subject member **did fail** to comply with the council's code of conduct for members in one or more respects;

(ii) find that the subject member **did not fail** to comply with the council's code of conduct for members;

(iii) **make no finding** in respect of the allegation. It is open to the Panel merely to note the issues raised by the complaint and, if appropriate, to make recommendations which address them.

11.2 Even where the Panel finds a breach, it is not obliged to take action in respect of the member. In accordance with section 28(11) of the Localism Act, it must have regard to the failure in deciding *whether* to take action and, if so, what action to take.

11.3 Neither the Standards Panel nor any other body of the council has power to suspend or disqualify a member or to withdraw their basic or special responsibility allowance.

11.4 Where a Panel finds that a substantive breach has occurred then it will normally both:

~~(i)~~ publish~~ing~~ its findings in respect of the member's conduct; and

(i) report its finding to full Council for information in any event.

11.5 Actions the Panel may take in relation to a member who has failed to comply with the code of conduct include:

(ii) ~~publishing its findings in respect of the member's conduct;~~

(iii) writing a formal letter to the member, which could include recommended actions such as an apology;

(iv) recommending to full Council that it does not appoint the relevant member onto any body which is within its (full Council's) gift;

(v) ~~reporting its findings to Council for information; or~~ recommending to Council that it takes one or more of the actions listed here;

~~(iv)~~

~~(v)~~(vi) formal censure;

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~~(vi)~~(vii) recommending to the member's Group Leader that he be removed from any or all of the council's committees or sub-committees;

(viii) recommending that the Monitoring Officer offer appropriate training

Note:

~~(vii)~~

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12. Publicising the Panel's Decision

At the end of the hearing or as soon as possible thereafter, the Chair will state the decision of the Standards Panel as to whether the Member failed to comply with the Code of Conduct and as to any actions which the Standards Panel resolves to take.

As soon as reasonably practicable thereafter, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Standards Panel, send a copy to the complainant and the member, make that decision notice available for public inspection and report the decision to the next convenient meeting of the Audit and Standards Committee.

13. Right of Appeal

13.1 Subject to paragraphs 13.2 to 13.4, the complainant and subject member may each appeal the decision of the Standards Panel.

13.2 A request for an appeal must be made in writing to the Monitoring Officer and set out reasons for the request, with reference to the grounds set out in paragraph 13.4.

13.3 The appeal request must be received by the Monitoring Officer within 10 working days of the original Panel hearing.

13.4 The appeal request will only be granted if one or more of the following criteria are met:

(i) the hearing was procedurally flawed; a relevant consideration was not taken into account; or an irrelevant consideration was taken into account;

(ii) new evidence or material has arisen with a direct and significant bearing on the allegation; or

(iii) the Panel's decision was irrational, meaning it was so unreasonable that no sensible Standards Panel, having

applied its mind to the complaint, could have arrived at that decision.

13.5 The decision as to whether the appeal request does fulfil one or more of the above criteria, resulting in the request being granted, shall be in the sole discretion of the Monitoring Officer, in consultation with the Independent Person.

13.6 In the event that an appeal is granted, a Standards Panel composed of different members to the one that heard the original case will consider the entire case. The appeal Panel may dismiss or uphold the appeal. If they uphold the appeal, they may substitute the original decision with a new decision. If the appeal Panel considers that essential information was not included in the investigation, they may refer the complaint back to the investigation stage.

13.7 There is no internal right of appeal from the decision of the appeal Panel.

GUIDANCE FOR MEMBERS ON CORRESPONDENCE ~~AND THE USE OF SOCIAL MEDIA FOR MEMBERS~~

Commented [VS1]: To be published on the public-facing website on the page on Member complaints (alongside the Code and Procedure)

Introduction:

The increasing prevalence of email and social media, with its potential for communications to be received instantaneously, has increased pressures on elected Members. The ease with which multiple emails may be sent – and additional parties copied in – has resulted in far greater volumes of communications being received by ward councillors, not all of which necessarily require each recipient to respond individually. This guidance aims to clarify what may reasonably be expected of Members in relation both to correspondence received by email and also – where Members choose to use it – in relation to Social Media.

This Guidance does not impose additional rules or requirements on Members over and above those outlined in the practice note on Publicity and the Use of Council Facilities in Part 8.2 of the Council's Constitution and the general rules imposed by the Code of Conduct for Members in Part 8.1 of the Council's Constitution. This Guidance aims instead to offer some guidelines which may assist Members in staying within the rules which govern Member conduct.

Key principles:

The fundamental principle is that the same standards of behaviour and conduct are expected of Members online as are required offline. In other words, members are expected to comply with the Code of Conduct in all areas when acting in their capacity as Members, whether they are doing so by email or online, via social media or in person. Members are referred to the Code of Conduct and the Practice Note on Publicity for the detail of the expectations made of them, and are welcome to contact the Executive Lead – Strategy, Governance and Law if they have any queries regarding any aspect of the regulatory framework which binds them.

A: Member correspondence – both hard copy and email

Key expectations: Member discretion

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It is for each Member to judge the particular circumstances of any communication and to act in a way which is proportionate and respectful. While it is for each Member to decide whether a particular communication necessitates a personal response from them, such a response may only be reasonably be expected where the communication relates to matters of relevance to their duties as a councillor.

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Multiple recipients;

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Ward constituents or other stakeholders may expect a response to every direct communication they send ~~all emails and letters sent~~ to an individual member ~~and/or all posts on social media which the Member is mentioned or 'tagged'.~~ However the volume of communications received by elected Members

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(particularly via email) means that this is not always possible - nor may it be necessary. In a situation where more than one ward member and/or officer(s) of the Council have been joined into an email, then it will be for each individual Member to decide whether they need to respond personally rather than allowing a fellow Member or officer to respond on behalf of the Council, as that person sees fit.

‘Cc’d’-only emails;
In any case, where a Member is only ‘copied’ or ‘ccd’ into an email as opposed to being a primary recipient of it, then the following applies:

- Members may (depending on workloads) need to prioritise those emails which are directed to them as primary recipient. This may mean that they do not read all emails which they are merely copied or ‘ccd’ into.
- In any case, the normal expectation is that Members will not be expected to respond individually to emails which they have only been ccd into.

~~Members are normally expected to answer (or to make arrangements for someone else - such as a fellow ward member - to answer) all correspondence which is directed to them on a matter of relevance to their duties as a councillor. They are normally expected to respond promptly as a matter of courtesy. Where this is not practicable because of other commitments, members are normally expected to send an acknowledgment of receipt indicating when a more substantive response will be forthcoming.~~

~~Where this is not practicable because of other commitments, members are normally expected to send an acknowledgment of receipt indicating when a substantive response will be forthcoming.~~

Managing expectations via automated messages;
Members are in any event ~~Where members are away for 3 days or more or otherwise unavailable, they are~~ encouraged to make use of the out of office assistant available on Outlook to manage expectations, especially where there is likely to ~~put people on notice that there may~~ be a delay to their normal response times~~in responding~~ due to holidays, illness or workloads~~and the likely timeframes of any response.~~

It is recognised that on occasion Members may find themselves overwhelmed by a sheer volume of correspondence, particularly when a controversial issue~~decision~~ arises. A delay in replying caused by unmanageable volume of correspondence or an occasional failure to respond would not normally constitute a breach of the Member’s Code of Conduct. However Members should be aware that repeated failure to respond to substantive correspondence directed at them individually which meets the criteria above promptly or at all could amount to failure to treat people with respect and/or be deemed to be conduct which brings their office or the Council into disrepute.

Repetitious or otherwise inappropriate communications
It is also recognised that some correspondents – whether because they do not receive the reply they are seeking, or for some other reason - repeat the

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same request or points in a series of emails or letters, continuing the conversation (and on occasion ccing in other parties) after the Member has made their position clear. In this situation, it is for the individual Member to decide on a reasonable course of action. This may involve deciding not to respond further: a decision which is normally taken after they have first made their position clear to the other person and informed them that they consider the conversation to be at an end . The Council's procedure for dealing with corporate complaints makes provision for a decision not to enter into further communication with a complainant on a particular issue where on a careful review of the case and having taken appropriate advice a topic has been exhaustively covered. It is strongly recommended however that members apply appropriate standards of courtesy by despatching a clear final response which indicates that they regard the correspondence to be at a close, ideally explaining the reasons why.

Similarly, the expectation of respectful behaviour applies to all parties in a conversation. Mwhile members are not expected to engage or to continue to engage in exchanges in which the other party/ies is acting in a way which is which they consider to have become aggressive or disrespectful, abusive or otherwise inappropriate. In such a situation, , they will normally beare expected to send a single communication indicating that they are not minded to engage, giving brief reasons. This is however at the individual Member's discretion and there may be circumstances where the other person has behaved in such a way that no response can reasonably be expected. e clearly their reasons for bringing any exchange of communications to a close.

B: Social media

Members are not required to set up any kind of social media account, and are free to communicate and engage however they wish to. However these guidelines will be relevant to any Member who is s using or planning to use social media in connection with their work as a Councillor, or who is are already using it another capacity (including in such media in their private capacity).

Members are not expected to maintain any kind of social media presence in their capacity as councillors, and retain discretion re how they communicate with ward constituents and other stakeholders. Where they do chose to maintain a social media account, they are not expected to monitor information posted on relevant forums or to respond to posts or messages within specific timeframes/ at all. Where they do choose to use social media to engage on an occasional basis, this is not to be read as creating an expectation that they will monitor responses on a regular basis or at all.

Social Media may be used:

- As a means of performing a community leadership role
- To keep in touch with local views and opinions
- For political campaigning
- For campaigning on local issues

Potential issues:

- While any form of communication is capable of being misunderstood, the rapidity of social media exchanges can lend itself to problems.
- "Misfiring", or being misunderstood, particularly where comments are perceived as being controversial, may lead to rapid circulation and therefore escalation
- Although social media lends itself to a conversational tone, posting comments is still publishing as it creates a written record. It is therefore important that online content is accurate, informative, balanced and objective.
- While councillors are free to communicate politically in appropriate contexts, it is recommended that they do not post anything that they would not be comfortable justifying at a public meeting.
- Where councillors use social media to make comment (whether political or otherwise) about an individual or organisation, it is recommended that they alert that person to their comment by 'tagging' them (or otherwise alerting them) so that they are aware of the post. This ensures that they are identified correctly as well as giving them the opportunity to respond.

Legal issues:

- **Libel –** If Members publish an untrue statement about a person which is damaging to their reputation, they may take a libel action. The same thing may happen if, for example, someone else publishes something libellous on a Member's SM page and they don't take swift action to remove it. A successful libel claim could result in the award of damages
- **Copyright –** Placing images or text on any site from a copyrighted source (for example extracts from publications or photos), without obtaining permission, is likely to breach copyright laws. Again, a successful claim for breach of copyright would be likely to lead to an award of damages.
- **Data Protection –** Members are data controllers in the eyes of the ICO insofar as the personal data which they hold on ward business is concerned. Members must have regard to the requirements of the GDPR in all respects, and must not publish the personal data of individuals without their express permission.
- **Bias and Predetermination –** if Members are involved in making planning, licensing or other quasi-judicial decisions, it is important that they do not indicate via any media that they have made their mind up on an issue that is due to be formally decided upon. While a Member's likely view on a particular application may be well known, only those Members who are able to show that they have attended the committee or hearing prepared to take on board and weigh all the evidence and arguments, and are genuinely persuadable to a different view, should be taking part in council decision-making. If not, then the decision may be challenged. Where a person has suffered some sort of detriment as a result of an invalid decision, they may have a claim against the council for damages.

'Acting as a councillor' and the issue of blurred identities:

- The key to whether an individual Member's online activity is subject to the Code of Conduct is whether they are, or even just appear to be, acting in their capacity as a councillor rather than as a private individual.
- Councillors may have "blurred identities" in a situation where they maintain a social profile which sees them comment both as a councillor and as an individual (which may or may not involve making political statements). Although Members may be clear that they are acting in a private capacity, it may be less clear to others.
- One way of avoiding blurring the lines between a Member's personal (or political) communications and those they make as a councillor is to consider maintaining an online account as a councillor which is entirely separate from those where the Member communicates in a personal capacity. This is a decision for each Member and some Members may find the convenience of having one account outweighs the advantages of separate accounts. The council's Communications team will assist if specific advice if needed.

Recommendations for Social Media use by Members

- Members will need to consider setting appropriate privacy settings– especially if they have a private, non-political blog
- Members need to monitor their social media accounts for defamatory or obscene posts from others and remove them as soon as possible to avoid the perception that they condone such views
- The potential for misunderstanding and miscommunication via social media is increased, and Members may wish to bear this in mind.
- Where Members feel it to be necessary to 'block' an individual from communicating with them, whether because the communication has crossed the line and is considered to be abusive or for some other reason, then members are expected to be mindful of the need to be clear and transparent in their actions. This ~~will~~ may (depending on the Member's assessment of the situation)~~normally~~ involve communicating directly with the individual and informing them of the decision and of the reasons for it
- Members are asked to consider keeping their personal and elected member profile on social networking sites separate as a means of maintaining appropriate professional boundaries
- Members are expected to ensure they use council facilities appropriately and to bear in mind the likelihood that posts about the council/ which use information accessed by being a councillor are likely to be viewed as made in their official capacity
- While members may wish to make political points, it is recommended that they take care not to be too specific or personal if referring to individuals. An attack on individuals may be seen as disrespectful, whereas general comments about another party or genuine comments on policy are less likely to be viewed as disrespect.
- Where Members do make a personal or a political comment about an individual or organisation on social media, it is recommended that

they ‘tag‘ them in their post. As well as identifying the correct person, this practice alerts the other party to the comment and gives them the opportunity to reply to it.

- Members are advised not to request or accept a Brighton & Hove City Council employee or contractor providing services to the council as a “friend” on a social networking site where this suggests close personal association. For the avoidance of doubt, this does not apply to sites which are intended as a neutral, professional connections registry (such as Linkedin.)

Conclusion:

This Guidance aims to assist Members in avoiding the various risks associated with the types of communication in scope. The Monitoring Officer and the Communications Team are happy to help Members by providing additional advice and guidance as appropriate.

Abraham Ghebre-Ghiorghis, Monitoring Officer

Approved on XX~~on 21 July 2020~~

XXX

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Council	Agenda Item 27
15 July 2021	Brighton & Hove City Council

Subject:		**Council and Committee meetings from 1st August 2021**
Date of Meeting:		**15 July 2021**
Report of:		**Executive Lead Officer for Strategy, Governance & Law (Monitoring Officer)**
Contact Officer:	**Name:**	**Abraham Ghebre-Ghiorghis**
	Email:	**abraham.ghrebre-ghiorghis@brighton-hove.gov.uk**
Ward(s) affected:		**All**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT:

1.1 The purpose of this report is to seek the agreement of Members regarding arrangements for future meetings of the Council, its Committees and other bodies. It is proposed that the recommendations take effect from 1st August 2021: the date when the arrangements agreed by this Committee on 13 May 2021 lapse.

1.2 The proposals set out in this report have been considered by Leaders Group.

2. RECOMMENDATIONS:

2.1 That Members note that the detailed arrangements outlined in the previous report to Policy & Resources Committee and its Appendices were put in place as a transitional measure only and will cease to have effect at the end of 31st July 2021.

2.2 That Members agree to revert to attendance in person by members, co-optees and standing invitees who are appointed to decision making meetings of the Council, its Committees and Sub-Committees from 1st August 2021 subject to the safeguards listed in paragraph 4.3 of the report.

2.3 That Members agree to end the arrangements agreed on 13 May 2021 for use of enhanced delegations to officers.

2.4 That Members authorise the Chief Executive and the Executive Officer for Strategy, Governance & Law to take such steps as are necessary or incidental to ensuring that the arrangements for meetings are safe, following consultation with the Director of Public Health and Group Leaders.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The legal framework which governs the Council's meetings is provided by sections 101 and 102 of the Local Government Act 1972 and Schedule 12 to the Act. Crucially, it provides that matters determined by members at a local authority

meeting may only be decided upon by those members both 'present and voting' at the meeting.

3.2 While the Government put in place Regulations to permit local authorities to meet virtually early on in the pandemic, those Regulations were framed in such a way that they expired on 7th May 2021.

3.3 The position was challenged in a High Court case, brought by Lawyers in Local Government and others, seeking a declaration to the effect that the Local Government Act 1972 does not require attendance in person. The High Court judgment was unequivocal that attendance at meetings have to be in person and in one geographical location to comply with the 1972 Act. The court also confirmed that the public must be granted access to local authority meetings in person and virtual attendance by the public does not comply with the 1972 Act.

3.4 As a result, transitional arrangements were agreed which included 'pared down' attendance by elected members and co-optees and standing invitees. This was supplemented by provision for officers to exercise enhanced delegated powers to relieve the burden on the Council's decision-making bodies and to reduce time spent in face to face meetings. Arrangements were also made for the virtual attendance by members and the public to ask questions, present deputations and petitions and for officers to present their reports virtually.

3.5 The transitional arrangements outlined in para 3.4 were agreed for meetings taking place in the period up to 1st August 2021, after which time they will lapse.

4. PROPOSALS

4.1 This Council is committed to democratic and transparent decision-making and a strong level of public engagement. A return to the visible and active participation by all of the elected members, co-optees and standing invitees appointed to the Council's decision-making bodies is considered important to achieve as soon as this can be safely implemented.

4.2 The LGA continue to lobby the Government to implement a change in the law to permit hybrid meetings. It is still hoped that new legislation will be introduced which would enable participants to be present either physically present or virtually, with equal opportunity to input and vote. The Government has issued a 'Call for Evidence' in relation to the arguments for and against allowing virtual or hybrid meetings and the Council has responded to this to support the case for a change to the law. Unless or until legislation is passed the Council must stay within the current law.

4.3 It is expected that England will move to Step 4 of the Government road map out of lockdown on 19th July 2021, with the announcement taking place on 12th July. On the basis that the remaining restrictions on social contact and events are lifted from 19th July, it is proposed that the following arrangements are put in place for Council meetings taking place from 1st August 2021:-

(i) All members, co-optees and standing invitees appointed to Council Committee and Sub-Committee meetings will be invited to attend the meeting in person;

(ii) Those members of the public seeking to attend or contribute at the Council's meetings will be able to attend in person if they wish, but will continue to be encouraged to do so remotely where possible;

(iii) Attendance by the public (in the public gallery rather than those presenting questions, petitions and deputations) will be limited to a maximum of 6 on a first come first serve ticked arrangement;

(iv) Officers presenting reports, other than the relevant Executive Director, Committee Lawyer and Decision-support Officer, will continue to do so remotely where possible;

(v) All those attending Council or committee meetings will be required to wear masks;

(vi) There shall be sufficient ventilation of the meeting venue to at least the standards in the current arrangements;

(vii) An updated risk assessment will be prepared, following consultation with representatives from Health & Safety and Public Health and taking account of national guidance and local infection rates, to advise on mitigations for example, room layout and advice on face coverings;

(viii) The Chief Executive will keep these arrangements under review regularly in consultation with Group Leaders and the Director of Public Health;

(ix) Should further restrictions be necessary following the review or risk assessment mentioned above (such as a surge in the number of Covid cases) further precautionary measures may be introduced by the Chief Executive following consultation with Group Leaders.

5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

5.1 The proposals in this Report offer a way forward which is considered to be compliant and to sit within current health and safety risks. Officers will monitor the situation and will bring a future report should the law change.

6. COMMUNITY ENGAGEMENT & CONSULTATION

6.1 Group Leaders have been consulted in relation to the proposals set out in this report.

7. CONCLUSION

7.1 The proposals outlined are recommended as offering a way forward which is consistent with legal advice and with current public health guidance.

8. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

8.1 Any costs associated with proposals listed in the report will be covered by the relevant Directorate or Corporate Budgets.

Finance Officer Consulted: Nigel Manvell Date: 07/07/21

Legal Implications:

8.2 The legal implications are indicated in the body of the Report. Should the legal landscape change, then officers will review the changes and will recommend any steps considered necessary and proportionate.

Lawyer Consulted: Victoria Simpson Date: 24/06/21

Equalities Implications:

8.4 The proposals are made with the recommendations of the Director of Public Health taken into consideration and the intention to ensure the health and safety of all those involved in the decision-making process and in accordance with current government guidelines.

SUPPORTING DOCUMENTATION

Appendices:
None

Background Documents
None

Council	Agenda Item 29
15 July 2021	Brighton & Hove City Council

Subject:		**The National Bus Strategy – Extract from the proceedings of the Environment, Transport & Sustainability Committee meeting held on the 22 June 2021**		
Date of Meeting:		**15 July 2021**		
Report of:		**Executive Lead Officer for Strategy, Governance & Law**		
Contact Officer:	Name:	**John Peel**	**Tel:**	**01273 291058**
	E-mail:	john.peel@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

Action Required of Council: To receive the report and draft minutes for information.
Recommendation:
That the report be noted.

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

4.00pm 22 JUNE 2021

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Heley (Chair) Wilkinson (Opposition Spokesperson) and Nemeth (Group Spokesperson)

PART ONE

18 THE NATIONAL BUS STRATEGY

18.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provides recommendations for the council's initial response to the Government's National Bus Strategy, Bus Back Better in order to comply with deadlines set by the Department for Transport (DfT).

18.2 In response to questions from Councillor Wilkinson, the Senior Project Manager explained that the aim of the enhanced bus partnership was to improve the communication of bus service and timetabling information and the main local operator currently published all service providers information online and in paper copy. The Senior Project Manager added that there was a constant review of possible improvements to real-time service information. Furthermore, there would be a post-Covid review of bus services and supported bus services that would be presented to an upcoming meeting of the Policy & Resources Committee in addition to a further report to ET&S Committee later in the year and options for the circular minibus service would be reviewed as part of that process.

18.3 In response to a question from Councillor Nemeth regarding possible increased pollution by buses when travelling in the suburbs, the Senior Project Manager explained that the Council's Senior Technical Officer for air quality would have extensive information and data on that matter. Furthermore, it was highlighted that the council was seeking to take part in the Zero Emissions Regional Bus Area (ZEBRA) bid which would introduce hydrogen buses to the city.

18.4 **RESOLVED-**

1) That the Committee notes the National Bus Strategy and receipt of the £100k funding officers have applied for.

2) That the Committee agrees to publish a notice of intent to form an Enhanced Partnership with bus operators.

3) That the Committee notes the new opportunities available for an Enhanced Partnership and franchising and the potential benefits this could bring to the city's bus services.

4) That the Committee agrees to commission a feasibility study on franchising to be presented to a ETS meeting in Autumn 2021.

ENVIRONMENT, SUSTAINABILITY, TRANSPORT COMMITTEE	Agenda Item 18 Brighton & Hove City Council

Subject:		**The National Bus Strategy – "Bus Back Better"**		
Date of Meeting:		**22 June 2021**		
Report of:		**Executive Director Economy, Environment & Culture**		
Contact Officer:	**Name:**	**Owen McElroy**	**Tel:**	**01273 293693**
	Email:	**owen.mcelroy@brighton-hove.gov.uk**		
Ward(s) affected:		**All**		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The Government published its National Bus Strategy, Bus Back Better, on 15 March 2021. This sets out the Government's ambitions for the future of bus travel and focuses on recovering from the Covid-19 pandemic, improving services and growing usage. The strategy includes a number of immediate actions for councils. This ETS report provides recommendations for the council's initial response in order to comply with deadlines set by the Department for Transport (DfT). Further updates will be provided in future ETS meetings.

2. RECOMMENDATIONS:

2.1 That the Committee notes the National Bus Strategy and receipt of the £100k funding officers have applied for.

2.2 That the Committee agrees to publish a notice of intent to form an Enhanced Partnership with bus operators.

2.3 That the Committee notes the new opportunities available for an Enhanced Partnership and franchising and the potential benefits this could bring to the city's bus services.

2.4 That the Committee agrees to commission a feasibility study on franchising to be presented to a ETS meeting in Autumn 2021.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The National Bus Strategy aims to improve bus services across the country and grow passenger numbers. This is in response to low usage and poor services in some parts of the country. The Strategy includes aspirations to increase service frequencies, simplify ticketing, improve bus journey times and reliability, and lower fares.

3.2 Brighton & Hove has consistently bucked the national trend in bus patronage and prior to the Covid-19 pandemic had the highest bus use per head outside of London. The bus network will however need support to help it recover from the pandemic and there remains significant potential for more journeys to be taken by bus. This will be an important part of helping the council to meet its

commitment to a net zero carbon city by 2030. It is also relevant to recommendations 2 and 8 of the Climate Assembly, around the need for public transport accessibility, convenience and affordability.

3.3 The National Bus Strategy requires all Local Transport Authorities (LTAs) to make a decision on whether to commence the processes of forming an Enhanced Partnership or franchising by the end of June. Further details on each are provided below.

3.4 Authorities which do not commit to this will lose Covid-19 Bus Service Support Grant (CBSSG) funding from July. CBSSG has been essential to keeping services running during the pandemic, both those operated commercially and those funded by the council. This funding is expected to be required for some time whilst passenger numbers remain lower than they were before the pandemic. Without a continuation of this funding, it is very likely supported bus services will be lost or reduced or the council will be required to find additional funding of its own.

3.5 In addition, LTAs which do not meet the requirements of the Strategy will not be eligible for related grant funding for service improvements, infrastructure and cleaner vehicles. The Government “will also take into account an LTA’s performance” against these requirements when assessing funding allocations for non-bus transport schemes (Bus Service Improvement Plan (BSIP) Guidance para 39).

3.6 An Enhanced Partnership is a formal agreement between LTAs and operators to work together to improve bus services. These were introduced under the Bus Services Act 2017; however, there was limited take-up and the DfT is now making them a stronger requirement as outlined above. The council has the benefit of a long history of working in partnership with bus operators through the Quality Bus Partnership. It is expected this will form a basis for an Enhanced Partnership; however, the difference is that commitments to improve services are included in a formal legal agreement. This may include journey time targets or commitments to introduce infrastructure schemes. There is then a requirement to report on targets every six months.

3.7 The first step in the Enhanced Partnership process (before the end of June) is to publish a statutory notice of the council’s intent to form one. The details of the agreement would then be developed in the coming months, beginning with the development of a Bus Service Improvement Plan (BSIP). The BSIP is required by October 2021 and an update on this is scheduled to be presented to the ETS Committee in September. The deadline for Enhanced Partnerships to be in place is April 2022.

3.8 Franchising is where LTAs are fully funded to issue tenders for bus companies to operate in the area. This can follow a model where authorities specify route and service standards, as in London, or could be on an area basis with operators having more influence over service design.

3.9 Franchising is currently only available to Combined Mayoral Authorities. The Government has said it will support other LTAs who wish to pursue franchising where they can demonstrate it will improve services and they have the resources

to implement franchising. In areas with a large number of competing services in one area and under served locations elsewhere, there is perhaps a stronger case for franchising than in Brighton & Hove. Indeed, the National Bus Strategy (page 23) cites Brighton & Hove as a positive example of partnership working.

3.10 The DfT's BSIP guidance (para 24) also states that "most of the outcomes from franchising can be delivered using an EP [Enhanced Partnership] if the LTA and its local bus operators work together. They also offer significantly more flexibility than franchising and can deliver benefits to passengers far more quickly".

3.11 Franchising would potentially give the council control over bus fares and where buses go. This could therefore help the council to address the recommendations of the Climate Assembly for affordable and accessible public transport. However, this may require additional council funding and it is recommended that a feasibility study is undertaken before a decision is taken whether to consider franchising further.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 One option is to dismiss the DfT's instructions and do nothing. However, this is likely to have significant financial consequences as outlined in paragraphs 3.4 and 3.5. As a result, it is also likely there would be a negative impact on bus services and passenger numbers.

4.2 Another option is to pursue franchising. However, further work would be needed to assess the feasibility and benefits of franchising. In addition, given franchising for Brighton & Hove requires a change in the law and is likely to take some time, the National Bus Strategy is advising that LTAs enter into an Enhanced Partnership initially, even if they wish to pursue franchising in future.

4.3 The DfT's BSIP guidance (para 21) states "if an LTA believes, after an EP [Enhanced Partnership] notice of intent has been issued and subsequent discussions with operators, that it will not deliver the outcomes set out in their BSIP or that, after initial work, a 'full' franchising assessment is unlikely to deliver its ambitions more effectively than an EP, then a switch can be considered". Therefore, the recommendations included in this report do not remove the option for the council to consider franchising in future.

4.4 Were the Committee to agree the report recommendations, a feasibility study covering franchising would be presented to a future ETS meeting.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Officers have undertaken initial engagement with bus operators. This is through existing partnerships and to comply with the DfT's requirements for early engagement with operators.

5.2 Wider engagement, including with members and bus users, will take place over the coming months as officers progress with developing the BSIP and forming the Enhanced Partnership. The process of setting up the Enhanced Partnership will follow statutory requirements and take account of additional guidance provided by the DfT.

6. CONCLUSION

6.1 The recommendation to begin the process of forming an Enhanced Partnership responds to the instruction provided by the Government in the National Bus Strategy. Agreement to this will be necessary if the council is to retain access to discretionary DfT bus funding, including Covid support. It will also be needed to avoid negatively impacting on bids for non-bus transport funding, assessment for which will take into account progress against the requirements included in the National Bus Strategy.

6.2 Further updates will be provided to ETS throughout the formation of the Enhanced Partnership.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The DfT has made £100k of funding available to LTAs to support with implementing the immediate actions of the National Bus Strategy. This includes preparing the BSIP and forming an Enhanced Partnership. The council has applied for and received this funding.

7.2 Some of the ambitions outlined in the National Bus Strategy to improve services, including more frequent services where needed, lower fares and infrastructure improvements are currently unfunded. Further guidance is awaited from the DfT and this will be taken into account when entering into commitments through the BSIP and Enhanced Partnership.

7.3 The Enhanced Partnership process will require more ongoing administration than the current Quality Bus Partnership, for example, the need to report progress every six months. The cost of this in officer time is currently unclear; however, this will be less than the amount of funding the council could miss out on were it not to comply with the DfT's instructions.

7.4 Were the council to choose not to agree to the requests contained in the National Bus Strategy it would no longer receive CBSSG funding for council funded services. This amount will be dependent on how quickly passenger numbers return and if these reach pre-pandemic levels. It is not possible to predict this but, based on current levels of support, were passenger numbers to reach 75% of pre-Covid levels this would be approximately £900k per year. This will be lower were passenger numbers to return at a quicker rate. In addition, savings may be obtained as a result of the re-tendering of some routes. Recommendations for the latter are included in a report to Policy & Resources Committee on 1 July 2021.

7.5 However, where the process of forming an Enhanced Partnership or preparing a BSIP is not started through no fault of commercial bus operators, the DfT has said they will continue to receive CBSSG.

Finance Officer Consulted: Paul Tucknott Date: 25/05/21

Legal Implications:

7.6 The subsidy control regime will need to be considered in relation to any grant funding. It is expected that there will be a good argument that the grant funding will not constitute a subsidy because it will not have an effect on trade or investment between the UK and its international partners.

Lawyer Consulted: David Fairfield *Date: 25/05/21*

Equalities Implications:

7.7 An Equalities Impact Assessment will be produced as part of the development of the BSIP to consider the impact of different options.

7.8 Were ETS Members to oppose the recommendations of this report and alternative funding not identified, it is possible council-funded services would need to be withdrawn. Bus services supported by the council include those to areas with no commercial bus service. By the nature of these locations and distance to alternative services, it is more likely that older and mobility impaired residents will be more disadvantaged by a withdrawal of services.

Sustainability Implications:

7.9 Returning the proportion of trips undertaken by bus to pre-pandemic levels and growing this further will be important in helping the council to meet its targets around climate change, including commitment to a net zero carbon city by 2030, and air quality. The aspirations of the National Bus Strategy and report recommendations are consistent with these aims.

Brexit Implications:

7.10 No implications.

Any Other Significant Implications:

7.11 None identified.

Crime & Disorder Implications:

7.12 None identified.

Risk and Opportunity Management Implications:

7.13 Risks identified at this stage are covered by financial and equalities implications above.

Public Health Implications:

7.14 Reducing the number of trips made by private car has benefits for air quality whilst bus use has the potential to encourage active travel through walking to bus stops and reducing the need for car ownership.

7.15 Complying with the National Bus Strategy requirements will mean the council continues to be eligible for future DfT funding for cleaner vehicles and the opportunities this brings to improve air quality.

Corporate / Citywide Implications:

7.16 Complying with the National Bus Strategy requirements will mean the council continues to be eligible for future funding for cleaner vehicles and the opportunities this brings to improve air quality.

SUPPORTING DOCUMENTATION

Appendices

None

Background Documents

1. National Bus Strategy – Bus Back Better (March, 2021): https://www.gov.uk/government/publications/bus-back-better

2. National Bus Strategy – Bus Service Improvement Plans: Guidance to local authorities and operators (May, 2021): https://www.gov.uk/government/publications/bus-service-improvement-plan

Council	Agenda Item 30
15 July 2021	Brighton & Hove City Council

Subject:		**Targeted Budget Management (TBM) Provisional Outturn 2020/21 – Extract from the proceedings of the Policy & Resources Committee meeting held on the 1 July 2021**		
Date of Meeting:		**15 July 2021**		
Report of:		**Executive Lead Officer for Strategy, Governance & Law**		
Contact Officer:	Name:	**Mark Wall**	**Tel:**	**01273 291006**
	E-mail:	mark.wall@brighton-hove.gov.uk		
Wards Affected:	All			

FOR GENERAL RELEASE

Action Required of Council: To receive the report from the Policy & Resources Committee for information.
Recommendations:
That the report be noted.

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 1 JULY 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTE EXTRACT

Present: Councillor Mac Cafferty (Chair) Appich (Joint Opposition Spokesperson) and Bell (Group Spokesperson)

Also present: Dr Anusree Biswas-Sasidharan, Standing Invitee

PART ONE

7 TARGETED BUDGET MANAGEMNET (TBM) PRIVISONAL OUTTURN 2020/21

7.1 The Acting Chief Finance Officer introduced the report which detailed the provisional outturn position (i.e. Month 12 year-end) on the council's revenue and capital budgets for the financial year 2020/21. He noted that the council set aside a £0.750m risk provision to mitigate risks identified at the time of setting the budget. However, £0.575m of this was applied to meet the additional costs of the pay award, confirmed at 2.75%, and the remaining £0.175m has previously been released to support the forecast outturn position. The report also indicated that £2.909m (28%) of the substantial savings package in 2020/21 of £10.291m was unachieved. Most of this (£2.303m) was due to pressures arising from COVID-19 for which grant support has been provided.

7.2 Councillor Bell moved an amendment on behalf of the Conservative Group, which was formally seconded by Councillors Mac Cafferty and Appich.

7.3 Councillor Appich moved an amendment on behalf of the Labour Group, which was formally seconded by Councillors Mac Cafferty and Bell.

7.4 The Committee welcomed the report and thanked the officers for the work that had been undertaken during the year and in bringing the report forward. The Members of the committee also noted the Chief Finance Officer's comments that were included with the amendments.

7.5 The Chair then put the Labour amendment to the vote which was carried by 2 votes to 1.

7.6 The Chair then put the Conservative amendment to the vote which was lost by 2 votes to 1.

7.7 The Chair then put the recommendations as amended to the vote which were carried unanimously.

7.8 **RESOLVED:**

(1) That the Committee note that the provisional General Fund outturn position is an underspend of £9.733m and that this represents an improvement of £4.921m compared to the projected and planned resource position at Month 19 taken into account when setting the 2021/22 budget.

(2) That the Committee note the provisional outturn includes an underspend of £0.989m on the council's share of the NHS managed Section 75 services.

(3) That the Committee approve General Fund carry forward requests totalling £5.321m as detailed in Appendix 5 and included in the provisional outturn.

(4) That the Committee approve the proposed allocation of additional available outturn resources of £4.921m as set out in the table at paragraph 10.4 as adjusted for recommendation 2.9.1 and 2.9.2.

(5) That the Committee note the provisional outturn for the separate Housing Revenue Account (HRA), which is an underspend of £0.436m.

(6) That the Committee note the provisional outturn position for the ring-fenced Dedicated Schools Grant, which is an underspend of £0.746m.

(7) That the Committee note the provisional outturn position on the capital programme which is an underspend variance of £7.132m.

(8) That the Committee approve the capital budget variations and re-profiling requested in Appendix 7.

(9) That the figures in 10.4 are amended as follows: The repayment of financial smoothing to be reduced to £2.450m, and that £0.020m be added to the corporate delivery plan risk provision, making available a total of up to £0.259m. The total fund to include consideration of the following projects:

- Park and Ride Project feasibility study - enhance the existing allocated budget to ensure that multiple locations can be explored with a view of linking this to planned transport hubs
- EV Car co-op Pilot setup costs - to set up pilot schemes in three initial locations
- Procurement / Community Wealth Building - to add to existing budgets to ensure the procurement team have capacity to deliver community wealth building by using the Council's purchasing power at pace.
- One off investment to catch up with pavement weeds - funding for more city clean staff to clear up street and kerbside weeds and support and enable community initiatives to de weed and plant kerbside flowers in appropriate available ground.
- Tidy up teams funding increase - to allocate additional resources to deal with litter and graffiti issues

- Support for 20 mile an hour city - allocate funding for feasible local projects and interventions ahead of a city-wide scheme
- 20-minute neighbourhood initiatives - support a feasibility study and report to identify an area for a full-scale pilot scheme with measurable outcomes
- Investment in Parks - additional wilding & other projects - to include local wilding landscape schemes designed by park “friends”, adding fencing and other infrastructure as necessary

(10) That an additional provision of up to £0.030m be set aside from the available outturn resources for four specific projects:

- Women's safety - carry out a city-wide survey of how safe women feel in the city, and a study on how safe they are in the city, working with police and other agencies as necessary
- Care co-ops feasibility study - develop a model of co-operative care services for homecare in the city for older adults and those with disabilities, in co-production with client groups
- EUSS additional support for NRPF residents - identify problems our less settled / homeless communities will experience after 30 June as their status changes, working with existing voluntary and community organisations to provide support
- Marriage notices fee waiver - to extend the fee waiver for couples getting married until 31 March 2022

(11) That a sum of up to £0.055m be set aside from the 2021/22 Contain Outbreak Management Fund (COMF) grant for the following:

- VCS Recovery fund - adding £0.020m funds for the voluntary and community sector as they come out of the pandemic – to be agreed by the members’ advisory group (MAG)
- One to one / small group catch up support/tuition: 1000 hours - £0.035m for one to one and small groups to help address attainment gaps

(12) That the Committee approve the creation of the Overdown rise Footpath Maintenance Reserve as set out in 9.10.

(13) That any unspent Corporate plan delivery risk provision or additional projects provision in 2.9.2 above be returned and be applied to reduce 2021/22 financial smoothing (i.e. to repay reserves).

(14) That the Committee delegate the allocation of the Corporate Plan Delivery Risk provision and the additional projects provision as set out in paragraph 2.9.2 to the Chief Finance Officer following consultation with the Member Budget Review Group as set out in paragraph 10.3iv).

POLICY & RESOURCES COMMITTEE	Agenda Item 7 Brighton & Hove City Council

Subject:		**Targeted Budget Management (TBM) Provisional Outturn 2020/21**		
Date of Meeting:		**1 July 2021**		
Report of:		**Acting Chief Finance Officer**		
Contact Officer:	**Name:**	**Jeff Coates**	**Tel:**	**29-2364**
	Email:	**jeff.coates@brighton-hove.gov.uk**		
Ward(s) affected:		**All**		

FOR GENERAL RELEASE

1 PURPOSE OF REPORT AND POLICY CONTEXT:

1.1 The Targeted Budget Monitoring (TBM) report is a key component of the council's overall performance monitoring and control framework. This report sets out the provisional outturn position (i.e. Month 12 year-end) on the council's revenue and capital budgets for the financial year 2020/21.

1.2 The final outturn position is subject to the annual external audit review of the council's accounts. The final position will be shown in the council's financial statements which must be signed by the Chief Finance Officer (CFO) on or before 1 August 2021 and the audited set approved by the Audit & Standards Committee by 30 September 2021.

1.3 As set out in the General Fund Revenue Budget 2020/21 report to Budget Council, £7.825m was provided for in the budget for reinvestment in identified cost and demand pressures across social care and £7.220m for reinvestment in other priority service areas. These sums were expected to meet identified demand-led, cost and income pressures in 2020/21. The council also set aside a risk provision of £0.750m to mitigate potential demand risks and/or any difficulties in delivering savings targets. However, since setting the budget the Coronavirus outbreak has had a severe financial impact on the city and the council for which significant financial support from government has been required. The financial position has been reported through regular financial update reports to Policy & Resources Committee throughout the year leading up to the setting of the 2021/22 budget at February Budget Council. This report provides the provisional outturn position and includes memorandum information to indicate the element of the forecast attributable to the pandemic.

1.4 The provisional outturn is a £9.733m underspend on the General Fund revenue budget. This includes an underspend of £0.989m on the council's share of the NHS managed Section 75 services. This is a further substantial improvement of £4.921m from Month 9 reflecting underlying improvements in income and expenditure as shown in paragraph 4.4 below.

1.5 As noted above, the council set aside a £0.750m risk provision to mitigate risks identified at the time of setting the budget. However, £0.575m of this was applied to meet the additional costs of the pay award, confirmed at 2.75%, and the remaining £0.175m has previously been released to support the forecast outturn position. The report also indicates that £2.909m (28%) of the substantial savings

package in 2020/21 of £10.291m was unachieved. Most of this (£2.303m) was due to pressures arising from COVID-19 for which grant support has been provided.

2 RECOMMENDATIONS:

2.1 That the Committee note that the provisional General Fund outturn position is an underspend of £9.733m and that this represents an improvement of £4.921m compared to the projected and planned resource position at Month 9 taken into account when setting the 2021/22 budget.

2.2 That the Committee note the provisional outturn includes an underspend of £0.989m on the council's share of the NHS managed Section 75 services.

2.3 That the Committee approve General Fund carry forward requests totalling £5.321m as detailed in Appendix 5 and included in the provisional outturn.

2.4 That the Committee approve the proposed allocation of additional available outturn resources of £4.921m as set out in the table at paragraph 10.4.

2.5 That the Committee note the provisional outturn for the separate Housing Revenue Account (HRA), which is an underspend of £0.436m.

2.6 That the Committee note the provisional outturn position for the ring-fenced Dedicated Schools Grant, which is an underspend of £0.746m.

2.7 That the Committee note the provisional outturn position on the capital programme which is an underspend variance of £7.132m.

2.8 That the Committee approve the capital budget variations and re-profiling requested in Appendix 7.

2.9 That the Committee approve the creation of the Overdown rise Footpath Maintenance Reserve as set out in paragraph 9.10.

2.10 That the Committee delegate the allocation of the Corporate Plan Delivery Risk provision to the Chief Finance Officer following consultation with the Member Budget Review Group as set out in paragraph 10.3iv).

3 CONTEXT / BACKGROUND INFORMATION:

Targeted Budget Management (TBM) Reporting Framework

3.1 The TBM framework focuses on identifying and managing financial risks on a regular basis throughout the year. This is applied at all levels of the organisation from Budget Managers through to Policy & Resources Committee. Services monitor their TBM position on a monthly or quarterly basis depending on the size, complexity or risks apparent within a budget area. TBM therefore operates on a risk-based approach, paying particular attention to mitigation of growing cost pressures, demands or overspending through effective financial recovery planning together with more regular monitoring of high risk demand-led areas as detailed below.

3.2 The TBM report is normally split into the following sections:

i) General Fund Revenue Budget Performance
ii) Housing Revenue Account (HRA) Performance
iii) Dedicated Schools Grant (DSG) Performance
iv) NHS Controlled S75 Partnership Performance
v) Capital Investment Programme Performance
vi) Capital Programme Changes

vii) Implications for the Medium Term Financial Strategy (MTFS)

viii) Comments of the Chief Finance Officer (statutory S151 officer)

4 General Fund Revenue Budget Performance (Appendix 4)

4.1 The General Fund includes general council services, corporately-held budgets and central support services. Corporate Budgets include centrally held provisions and budgets (e.g. insurance). Note that General Fund services are accounted for separately to the Housing Revenue Account (Council Housing). Note also that although part of the General Fund, financial information for the Dedicated Schools Grant is shown separately as this is ring-fenced to education provision (i.e. Schools).

4.2 The table below shows the provisional outturn for council-controlled revenue budgets within the General Fund for 2020/21. These are budgets under the direct control and management of the Executive Leadership Team. More detailed explanation of the variances can be found in Appendix 4. Please note that the 'COVID Variance' column is a memorandum-only column identifying the extent of the 'Forecast Variance' attributable to the pandemic.

Forecast Variance Month 9 £'000	Directorate	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	COVID Variance Month 12 £'000	Provisional Variance Month 12 %
765	Families, Children & Learning	90,371	90,449	78	1,655	0.1%
6,115	Health & Adult Social Care	62,949	66,781	3,832	7,302	6.1%
7,830	Economy, Environment & Culture	35,310	41,246	5,936	7,631	16.8%
1,541	Housing, Neighbourhoods & Communities	13,603	15,672	2,069	2,138	15.2%
1,052	Finance & Resources	21,452	22,174	722	255	3.4%
149	Strategy, Governance & Law	6,124	5,666	(458)	296	-7.5%
17,452	Sub Total	229,809	241,988	12,179	19,277	5.3%
(1,220)	Corporately-held Budgets	(46,092)	(46,607)	(515)	373	-1.1%
2,200	Corporate PPE Costs	0	1,847	1,847	1,847	0.0%
(23,244)	COVID-19 Grant	0	(23,244)	(23,244)	(23,244)	0.0%
(4,812)	Total General Fund	183,717	173,984	(9,733)	(1,747)	-5.3%
4,062	Collection Fund Deficit			5,404		
(750)	Total Forecast			(4,329)		

* *The Collection Fund deficit (variance) is shown net of government grant support of 75%.*

4.3 The position above shows an overall improvement compared with TBM Month 9 of £4.921m. The TBM improvement arises from a mixture of improved expenditure forecasts and an improvement in the overall income forecasts offset by a reduction in Sales, Fees & Charges compensation grant.

4.4 The Budget Update report to the July 2020 committee meeting took the TBM Month 2 forecast and looked at possible scenarios for the remainder of the

financial year. Officers' best estimate of the position was set out in the 'Moderate View' scenario which started with the TBM Month 2 forecast as the base position. The table below compares the 'Moderate View' scenario reported to committee in July with an updated position as at the end of the year (i.e. month 12).

Updated Scenario (Moderate View)	Moderate View Forecast (July P&R) (£m)	TBM Month 9 Forecast (£m)	TBM Month 12 Forecast (£m)	Movem'nt from July Forecast Better (-) Worse (+) (£m)	Movem'nt from Month 9 Forecast Better (-) Worse (+) (£m)
Base position: TBM Forecast Month 2 (May)	36.003	36.003	36.003	0.000	0.000
Improvement due to speed of recovery (Income)	-5.000	-9.479	-12.198	-7.198	-2.719
Further Mitigations (i.e. cost improvements)	-3.000	-8.678	-11.638	-8.638	-2.960
Capital Programme pauses	-0.500	-0.492	-0.492	0.008	0.000
Further government COVID-19 funding	-10.000	-22.166	-21.408	-11.408	0.758
Revised Outturn Forecast 2020/21	**17.503**	**-4.812**	**-9.733**	**-27.236**	**-4.921**
Forecast Collection Fund Deficit 2020/21 *	10.000	4.062	5.404	-4.596	1.342
Total Projected (Surplus)/Deficit 2020/21	**27.503**	**-0.750**	**-4.329**	**-31.832**	**-3.579**

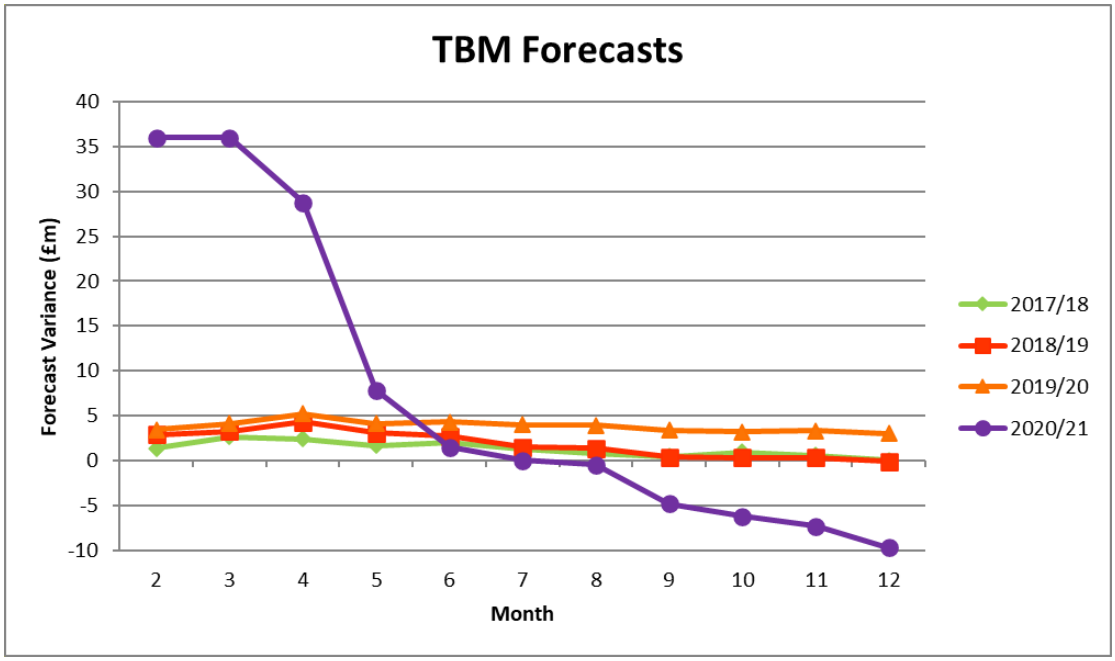
** The Collection Fund deficit is shown net of government grant support of 75%.*

This table is provided to aid understanding of movements since July 2020 when the council undertook detailed analysis of the potential financial impact scenarios arising from the pandemic. The second-to-last column shows that there have been improvements in income, costs and grant forecasts resulting primarily from the following:

- Improved income performance due to the busier than expected summer together with the Sales, Fees & Charges compensation grant of almost £15m. Later lockdowns have also not had the same depth of impact on economic activity;
- Significant additional NHS income of over £8m for discharge-to-assess care placements which is reflected in the Health & Adult Social Care forecast;
- Improved costs through effective financial management across the board including, significantly, a reduced forecast of PPE costs of £0.763m, and a reduced capital financing forecast of £0.466m due to reported delays and pauses to capital schemes which therefore reduces the Minimum Revenue Provision requirement;

- Substantial additional funding support from government for Emergency Response costs (i.e. excluding income losses) and outbreak containment which was £12.166m higher than estimated in July;
- An improved Collection Fund forecast due to a stabilisation of Council Tax Reduction claimants and a lower than expected impact on in-year collection performance together with application of the 75% government grant support for Collection Fund deficits.

4.5 The chart below shows the monthly forecast variances for 2020/21 and the previous three years for comparative purposes, however, the impact of the pandemic clearly makes comparisons difficult as this financial year has a very unusual forecast profile.



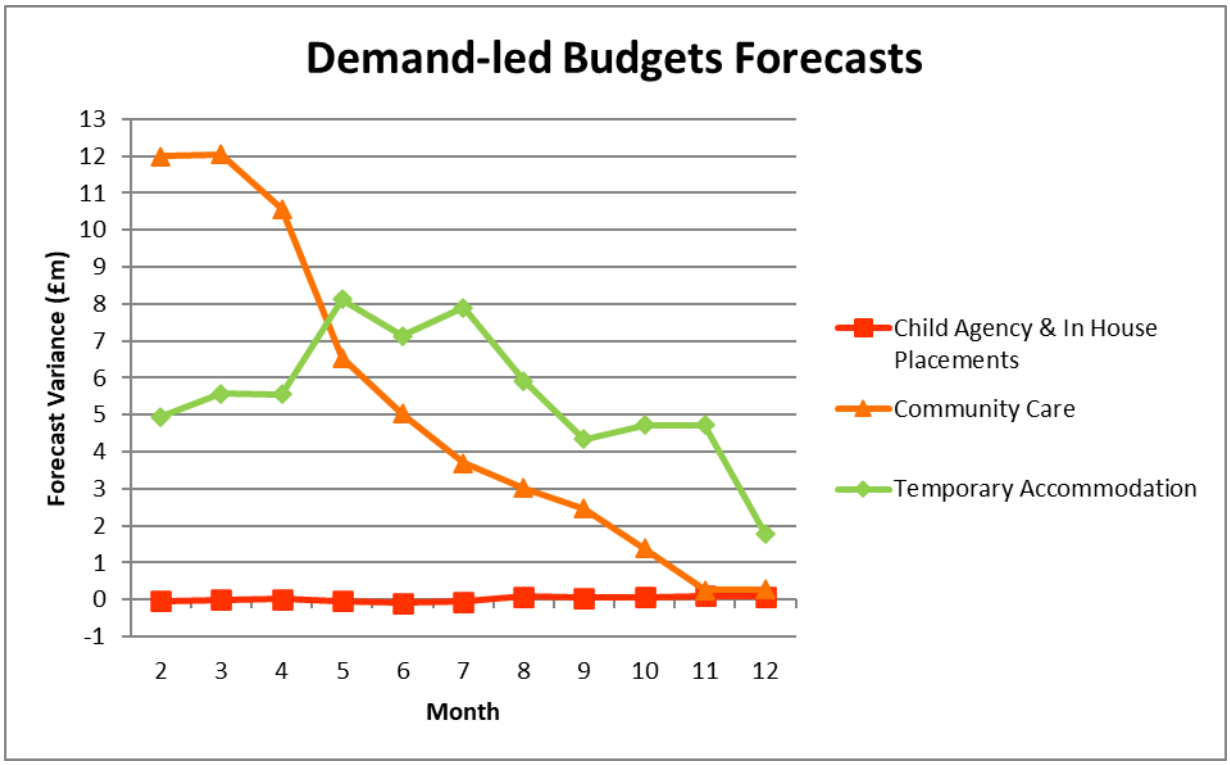
Demand-led Budgets

4.6 There are a number of budgets that carry potentially higher financial risks and therefore could have a material impact on the council's overall financial position. These are budgets of corporate significance where demand or activity is difficult to predict and where relatively small changes in demand can have significant implications for the council's budget strategy. These can include income related budgets. These therefore undergo more frequent and detailed analysis.

Forecast Variance Month 9 £'000	Demand-led Budget	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	COVID Variance Month 12 £'000	Provisional Variance Month 12 %

46	Child Agency & In House Placements	21,997	22,074	77	466	0.4%
2,467	Community Care	70,527	70,802	275	576	0.4%
4,333	Temporary Accommodation	3,352	5,131	1,779	1,703	53.1%
6,846	Total Demand-led Budget	95,876	98,007	2,131	2,745	2.2%

The chart below shows the monthly forecast variances on the demand-led budgets for 2020/21.



It should be noted that the Community Care trend is not a reflection of underlying trends in activity which have remained significantly higher than budgeted. The line has fallen primarily due to substantial NHS income being received during the year in respect of hospital Discharge-to-Assess placements of which over £8m was received in total. Similarly, homelessness (Temporary Accommodation) was supported by successful MHCLG funding bids.

TBM Focus Areas

The main pressures identified at outturn are across parts of Families, Children & Learning, Health & Adult Social Care, Homelessness, Transport, and Culture, Tourism & Sport. Information about these pressures and measures to mitigate them are summarised below:

4.7 **Children's Services:** The outturn position showed significant cost pressures: £1.538m on Services for Children with Disabilities and £0.896m on Home to School Transport. However, this was offset by underspends on Children in Care placements of (£1.165m) together with other underspends of (£1.191m); this resulted in a final outturn of £0.078m at the year end. £1.419m of the overspend related to Covid-19 – this was a combination of loss of income, impact on savings

targets and additional expenditure given the need to mitigate health risks posed by Covid-19.

The position for the Dedicated Schools Grant is an underspend of £0.746m. There are some significant overspends in the high needs block, most significantly mainstream school's top-up funding of £0.212m and education agency placements of £0.373m. These pressures are offset by one-off changes to the apportionment of costs between education and children's social care budgets, and a significant underspend in the early years block mainly due to lower spring term free entitlement levels. It is important to note this underspend will need to be carried forward to fund the retrospective clawback of early years funding that will be applied by DfE in 2021/22.

4.8 **Adults Services:** The service has faced significant challenges in 2020/21 in mitigating the risks arising from increasing demands from client needs, supporting more people to be discharged from hospital when they are ready and maintaining a resilient local provider market. This is alongside supporting vulnerable clients during the coronavirus pandemic, delivering a significant financial recovery plan and developing integration plans through the Better Care Fund.

- Service pressure funding of £3.900m, including Better Care and Winter Pressure funding, was applied in 2020/21 and used to fund budget pressures resulting from the increased demands and complexity in the city. However, £1.550m was needed to backfill recent reductions in CCG funding contributions. Over the last two years there has been an overall £3.750m reduction in CCG funding due to pressures on local NHS budgets, however, this has all been borne by the HASC budget although CCG funding also relates to services in other directorates.
- At the end of the financial year, £2.962m of the total financial recovery plan of £4.387m was unachievable. This is predominantly due to COVID-19 impacts.
- Overall, HASC has overspent by £3.832m in 2020/21 which clearly indicates the scale of the current challenges. Actions are focused on attempting to manage demands on and costs of community care placements across Assessment Services and making the most efficient use of available funds. The majority of the overspend is a result of:
    - COVID-19 related spend £7.301m (excluding substantial PPE costs held corporately);
    - Unfunded element of cumulative CCG funding reductions of £0.400m;
    - £0.300m due to System control issues following the implementation of new software in April 2018, which have since been identified and are being addressed.
- The HASC directorate has a Modernisation Programme which aims to implement a consistent strengths-based approach across key work streams, ensuring robust pathways are in place, developing a community reablement offer and re-designing the front door service. Currently the Health & Social Care system is under considerable pressure and this is generating additional costs for the council due to:
    - Pressures on NHS budgets resulting in reduced funding contributions from the CCG;

- Significant pressures on the acute hospital resulting in increased costs to support timely discharge into residential and nursing home care;
- Ongoing transformation of GP practices and enhancement of their clinical screening and general medical services which contribute to preventative support;
- Pressures on NHS outreach and other preventative services including community nursing (known as Integrated Primary Care Teams); and
- There is also focus nationally on improving rates of hospital discharge in order to accommodate winter pressures.

The funding of all care packages is scrutinised for Value for Money, ensuring that eligible needs are met in the most cost-effective manner which will not always meet people's aspirations. Established safeguards are in place to provide assurance within this process.

4.9 **Housing Services and Temporary Accommodation:** The 2020/21 outturn position for Temporary Accommodation (TA) including the accommodation for rough sleepers and those at risk of rough sleeping in hotels as part of the 'everyone in' initiative is an overspend of £4.903m. However, use of one-off funding from the Flexible Homelessness Support Grant of £2.463m and further Housing Benefit income of £0.661m for those in hotel accommodation means that the net position is an overspend of £1.779m. Since the forecast at month 9, there have been further costs relating to those in hotels including more food costs and higher than expected costs of repairs works on TA properties. The total overspend of £4.903m relates to the following:

- Overspend of £1.139m for the continued higher volumes of temporary accommodation being required for 'business as usual' (estimated 105 households). The budget was originally set at an average of 36 units of spot purchase accommodation throughout the year, but it proved very difficult to prevent homelessness and move people on during the pandemic, hence the overspend. This is in part due to the competing pressure for available accommodation to 'move on' people accommodated due to the pandemic and is also due to the continuing local pressures. The teams have been overwhelmed by the numbers of people needing accommodation during the pandemic, all of whom require move on plans to be developed and this has resulted in longer stays in temporary accommodation as those assessments are worked through. The service has seen continued levels of overspending as in 2019/20 on other areas of TA such as income collection and repairs costs which means that £0.350m of savings have not been met.

- A further net overspend of £1.870m in relation to housing those assessed as at risk of rough sleeping as part of the response to the 'everyone in' initiative from the Government, during the pandemic. As at the end of January 2021, an additional 145 clients were housed over and above the 105 units in spot purchase at the start of the year (so 250 units of spot purchase on 31st January 2021). However, by the end of March 2021 the 250 had reduced to 198 (but still an increase on business as usual clients of an additional 93 units).

- A further cost £2.194m net of grant for the cost of hotel and university accommodation and move on costs for housing rough sleepers and those assessed as at risk of rough sleeping to 31 March 2021 as part of the 'everyone in' initiative by the Government. The underlying gross costs of £4.523m are higher than the forecast at month 9 (£4.290m) mainly due to

more hotel rooms than forecast being required in the last few months of the financial year.

- An underspend of £0.300m relating to the new investment funding for an enhanced level of service for emergency short term accommodation. This procurement of this contract has been delayed due to the pandemic.

The service is planning to move all those housed under the 'everyone in' initiative (COVID 1 and COVID 2 cohorts) into more sustainable accommodation by 30th September 2021 and details are contained in the Next Steps and Rough Sleeping Accommodation report to P&R Committee 18 March 2021. Further funding was agreed as part of the Allocation of Contain Outbreak Management Fund (COMF) report to P&R (Recovery) Sub-committee 28 April 2021.

Housing is undertaking an overarching Temporary Accommodation 'end to end' Improvement Programme with support resource from Performance and Improvement team. This work includes considering how to reduce the use and length of stay in Temporary Accommodation and be linked to improving homeless prevention and enabling move on to more sustainable accommodation. The review also includes an assessment of void turnaround processes, income collection and repairs.

4.10 **Environment, Economy & Culture:** The Directorate has substantial income budgets for parking, planning and venues and for the council's commercial property portfolio, all of which are dependent on visitor numbers and commercial activity. There has also been a challenging additional income target for Parking Services of £3.800m for 2020/21. These activities and services have been heavily impacted by the COVID-19 lockdown and the outturn reflects significant income shortfalls compared to budget for 2020/21 in all these areas.

The final outturn position has improved from that for Month 9 due to higher Parking PCN income, reduced costs in Parking Services, improvements to commercial waste income, lower costs for suppliers relief and improvements to Seafront Property Income in Sport & Leisure. These improvements are partially reduced by greater arrears for commercial rents resulting in greater contribution to bad debt provision.

Carry Forward Requests (Appendix 5)

4.11 Under the council's Financial Regulations, the S151 Chief Finance Officer[1] may agree the carry forward of budget of up to £0.050m per member of the Corporate Management Team (up to a maximum of £1m in total) if it is considered that this incentivises good financial management. However, due to the challenging financial situation, all requests are being presented to this committee for consideration. Similarly, carry forwards have only been proposed where there is clear evidence of a fully-funded, prior commitment that was not able to be completed or undertaken by the end of the financial year. This will normally be supported by a contractual or purchase order commitment.

4.12 Carry forward requests include grant funded and non-grant funded carry forwards totalling £5.321m and have been assumed in the outturn figures above. The principles outlined in paragraph 4.11 above also apply. An analysis of these is provided in Appendix 5 split into two categories as follows:

[1] The term 'Director of Finance' is used in Financial Regulations and has the same meaning as the council's appointed S151 Chief Financial Officer.

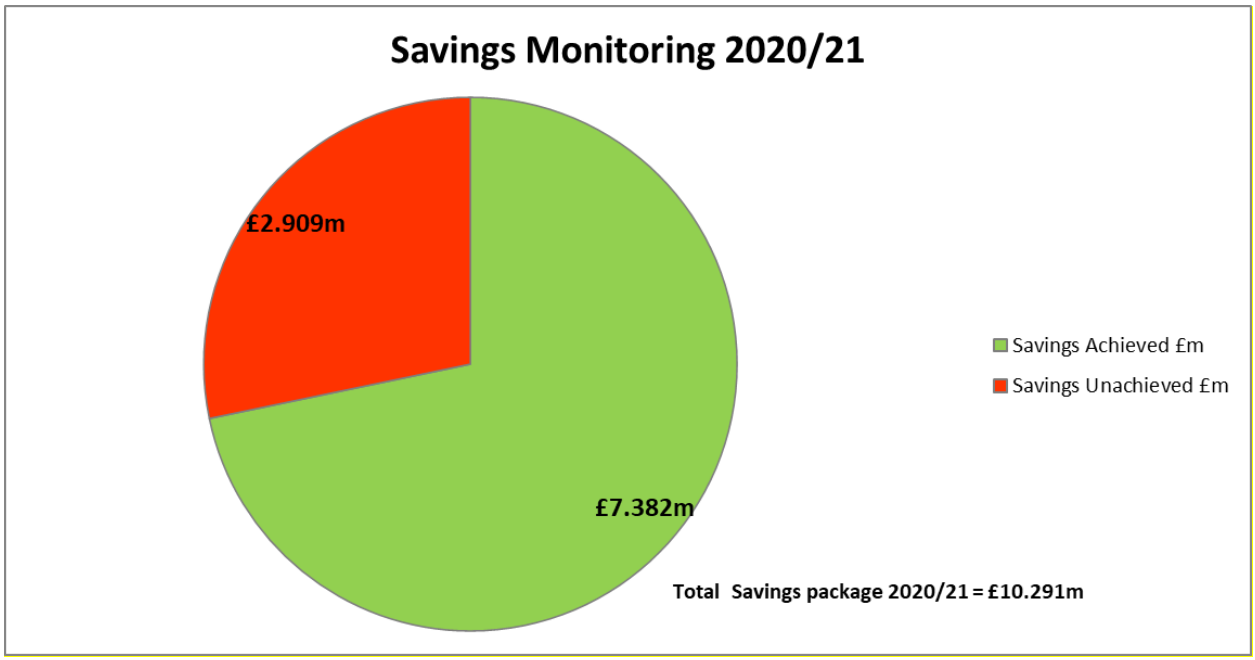
i) The non-grant funded element of carry forwards totals £2.023m. These items have been proposed where funding is in place for contractual commitments, existing projects or partnership working that cross over financial years and it is therefore a timing issue that this money has not been spent in full before the year-end.

ii) The grant funded element of carry forwards totals £3.298m. Under current financial reporting standards, grants received by the council that are unringfenced or do not have any conditions attached are now recognised as income in the financial year in which they are received rather than in the year in which they are used to support services. Carry forward is therefore required to ensure the grants are available to fund the commitments against them next year. The total also includes a sum of £0.746m relating to the Dedicated Schools Grant. Under the Schools Finance Regulations, the unspent part of the DSG must be carried forward to support the schools budget in future years.

Monitoring Savings

4.13 The savings package approved by full Council to support the revenue budget position in 2020/21 was £10.291m following directly on from a £12.236m savings package in 2019/20. This was very significant and followed 9 years of substantial packages totalling over £165m that have been necessary to enable cost and demand increases to be funded alongside managing reductions in central government grant funding.

4.14 Appendix 4 provides a summary of savings in each directorate and indicates in total what was achieved or unachieved. Appendix 5 summarises the position across all directorates and presents the entire savings programme. The graph below provides a summary of the latest position and indicates that £2.909m (28%) was not achievable. All of this was in respect of pressures relating to Covid-19.



5 Housing Revenue Account Performance (Appendix 4)

5.1 The Housing Revenue Account is a separate ring-fenced account within the General Fund that covers income and expenditure related to the management and operation of the council's housing stock. Expenditure is generally funded by Council Tenants' rents, Housing Benefits and Universal Credit. The provisional outturn is an underspend of £0.436m and includes the setting up of a provision of £0.450m to be used for backdated harmonisation costs for transferred Repairs & Maintenance staff. More details are provided in Appendix 4.

5.2 The underspend on Repairs & Maintenance works has increased by £0.376m since Month 7 and therefore this sum will be set aside for repairs and maintenance catch up works in 2021/22 in accordance with the recommendations in the TBM Month 7 report, which was on the December Policy & Resources Committee agenda. The transfer of this reserve is detailed in the TBM Month 2 report also on this committee agenda.

6 Dedicated Schools Grant Performance (Appendix 4)

6.1 The Dedicated Schools Grant (DSG) is a ring-fenced grant which can only be used to fund expenditure on the schools budget. The schools budget includes elements for a range of services provided on an authority-wide basis including early years education provided by the Private, Voluntary and Independent (PVI) sector, and the Individual Schools Budget (ISB) which is divided into a budget share for each maintained school. The provisional outturn is an underspend of £0.746m and more details are provided in Appendix 4. Under the Schools Finance Regulations any underspend must be carried forward to support the schools budget in future years.

7 NHS Managed S75 Partnership Performance (Appendix 4)

7.1 The NHS Trust-managed Section 75 Services represent those services for which local NHS Trusts act as the Host Provider under Section 75 Agreements. Services are managed by Sussex Partnership Foundation Trust (SPFT) and include health and social care services for Adult Mental Health and Memory and Cognitive Support Services.

7.2 This partnership is subject to separate annual risk-sharing arrangements and the monitoring of financial performance is the responsibility of the respective host NHS Trust provider. Risk-sharing arrangements result in financial implications for the council where a partnership is underspent or overspent at year-end and hence the performance of the partnership is included within the provisional outturn for the Health & Adult Social Care directorate. The provisional outturn is an underspend of £0.989m and more details are provided in Appendix 4.

8 Capital Programme Performance and Changes

8.1 The Capital programme spans more than one financial year and therefore monitoring is different to that of the revenue budget. Performance needs to be looked at from 5 different viewpoints at the end of the year as follows:

i) Variance: The 'variance' for a scheme or project indicates whether it has broken-even, underspent or overspent. Information on how forecast overspends will be mitigated is given in Appendix 7. If the project is completed, any underspend or overspend will be an outturn variance. Generally, only explanations of significant forecast variances of £0.100m or greater are given.

ii) Budget Variations: These are changes to the project budget within year, requiring members' approval, and do not change future year projections. The main reason for budget variations is where capital grant or external income changes in year.

iii) Slippage: This indicates whether or not a scheme or project is on schedule. Slippage of expenditure from one year into another will generally indicate overall delays to a project although some projects can 'catch up' at a later date. Some slippage is normal due to a wide variety of factors affecting capital projects, however substantial amounts of slippage across a number of projects could result in the council losing capital resources (e.g. capital grants) or being unable to manage the cashflow or timing impact of later payments or related borrowing. Wherever possible, the council aims to keep slippage below 5% of the total capital programme.

iv) Reprofiling: Reprofiling of budget from one year into another is requested by project managers when they become aware of changes or delays to implementation timetables due to unforeseeable reasons outside the council's direct control. Reprofiling requests are checked in advance by Finance to ensure there is no impact on the council's capital resources before they are recommended to Policy & Resources Committee.

v) IFRS changes: These accounting adjustments are only applied at year-end and are necessary for the council to comply with International Financial Reporting Standards (IFRS) for the Statement of Accounts. This concerns the determination of items of expenditure as either capital or revenue expenditure. Only items meeting the IFRS definition of capital expenditure can be capitalised; expenditure not meeting this definition must be charged to the revenue account.

For many capital schemes there may be instances where some of the costs are of a day-to-day servicing nature and are not true capital expenditure. It would be impractical for an authority to assess every item of expenditure when it is incurred as to whether or not it has enhanced an asset. A practical solution is therefore applied instead and as part of the closure of accounts process an assessment is made by capital programme managers and Finance to determine the correct classification of capital or revenue. Where an element of the scheme is deemed to be revenue, the capital budgets are reduced by the same amount as the items that are subsequently charged to the revenue account to ensure no overall budgetary impact. These changes are designated as 'IFRS Adjustments' in Appendix 7.

8.2 The table below provides a summary of capital programme performance by Directorate and shows that there is an overall underspend of £7.132m which is detailed in Appendix 7.

Forecast Variance Month 9 £'000	Directorate	Reported Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Families, Children & Learning	11,739	11,694	(45)	-0.4%
0	Health & Adult Social Care	738	223	(515)	-69.8%

10	Economy, Environment & Culture	35,877	34,453	(1,424)	-4.0%
0	Housing, Neighbourhoods & Communities	2,164	2,013	(151)	-7.0%
(5,128)	Housing Revenue Account	42,944	38,169	(4,775)	-11.1%
(222)	Finance & Resources	3,096	2,874	(222)	-7.2%
0	Strategy, Governance & Law	747	747	0	0.0%
(5,340)	Total Capital	97,305	90,173	(7,132)	-7.3%

(Note: Summary may include minor rounding differences to Appendix 7)

8.3 Appendix 7 shows the changes to the 2020/21 capital budget. Policy & Resources Committee's approval for these changes is required under the council's Financial Regulations. The following table shows the movement in the capital budget since approval in the Month 9 report.

Summary of Capital Budget Movement	Reported Budget Month 12 £'000
Budget approved as at Month 9	141,007
IFRS changes	(1,268)
New schemes to be approved in this report	0
Variations to budget (to be approved)	1,829
Reprofiling of budget (to be approved)	(40,487)
Slippage (to be approved)	(3,776)
Total Capital	97,305

8.4 Appendix 7 also details any slippage into next year. In total, project managers have forecast that £3.776m of the capital budget may slip into the next financial year and this equates to approximately 0.91% of the capital budget. The Committee will note the unusually high reprofiling requirement which is a direct consequence of the pandemic that has caused a wide range of delays due to working restrictions, supply chain issues, impacts on consultation processes and many other impacts.

9 Implications for the Medium Term Financial Strategy (MTFS)

9.1 The council's MTFS sets out resource assumptions and projections over a longer term. It is periodically updated including a major annual update which is included in the annual revenue budget report to Policy & Resources Committee and full Council. This section highlights any potential implications for the current MTFS arising from in-year TBM monitoring above and details any changes to financial risks together with any impact on associated risk provisions, reserves and contingencies. Details of Capital Receipts and Collection Fund performance are also given below because of their potential impact on future resources.

Capital Receipts Performance

9.2 Capital receipts are used to support the capital investment programme. For 2020/21 a total of £7.700m capital receipts (excluding 'right to buy' sales) have

been received. Disposals during the year include the sale of Oxford Street car park and Greenways Corner cottage; overage from Shoreham Airport; the transfer of dwellings to the HRA for new homes from Gladstone Court and Graham Avenue; plus the transfer of sites at Belgrave Centre and Coldean Lane land toward the housing joint venture.

9.3 The Government receives a proportion of the proceeds from ‘right to buy’ sales with a proportion required by the council to repay debt; the remainder is retained by the council and used to fund the capital investment programme. The total net usable receipts for ‘right to buy’ sales in 2020/21 is £2.316m including £1.652m available for replacement homes.

Collection Fund Performance

9.4 The collection fund is a separate account for transactions in relation to council tax and business rates. Any deficit or surplus forecast on the collection fund relating to council tax is distributed between the council, Sussex Police & Crime Commissioner and East Sussex Fire Authority, whereas any forecast deficit or surplus relating to business rates is shared between the council, East Sussex Fire Authority and the government.

9.5 The council tax collection fund ended the year with a deficit of £6.645m, an increase of £0.743m, and the council's share of the overall deficit is £5.637m.The main contributors to the deficit are set out in the table below:

Council Tax Element	**Gain/(Loss) compared to Taxbase Estimate £m**	**BHCC Share £m**
Expected losses in collection relating to both the current year and the collection of arrears	(2.633)	(2.234)
Cost of increased Council Tax Reduction (CTR) awards	(1.813)	(1.538)
Ongoing increase in Severely Mentally Ill (SMI) exemptions (including backdated elements)	(0.405)	(0.344)
Shortfalls in liability in part due to less properties being added to the valuation list	(0.785)	(0.665)
Higher net awards of other discounts (includes Single Person Discounts and disregards for students and SMI claimants),	(0.495)	(0.420)
Reduction in student exemptions	0.355	0.301
Other net exemptions and disregards	(0.339)	(0.288)
Brought Forward 2019/20 Deficit	(0.530)	(0.449)
Council Tax Loss compared to Taxbase Estimate	**(6.645)**	**(5.637)**

9.6 The business rates collection fund ended the year with a net deficit of £5.364m after allowing for S31 compensation grant funding. The main reasons are the impacts from Covid-19 on reduced collection of business rates income of £3.580m and increased empty relief £1.057m. There was also a net increase to the appeals provision of £0.253m. The council’s 49% share of the net deficit is £2.628m.

9.7 The combined collection fund deficit of £8.265m will be spread over three years and partially offset partly by government funding (at 75%) which provides for identified Covid-19 impacts on the tax base but does not cover any impacts on collection performance as the government does not want to disincentivise recovery of debt. This leaves a net Collection Fund deficit of £5.404m to be managed over the 3 years.

Reserves, Budget Transfers and Commitments

9.8 The creation or redesignation of reserves, the approval of budget transfers (virements) of over £0.250m, and agreement to new financial commitments of corporate financial significance that are not provided for in the approved budget and policy framework require Policy & Resources Committee approval in accordance with the council's Financial Regulations and Standard Financial Procedures.

9.9 As normal, the council's reserves and provisions have been fully reviewed as part of the annual closure of accounts process and a schedule of the reserves is shown at Appendix 8. Current reserves and balances are considered to be appropriate to meet normal risks, commitments and liabilities, although one new reserve is proposed – see paragraph 9.10 below. Similarly, provisions identified during the closedown process are considered appropriate and reasonable and will be subject to review by the external auditor to ensure they adequately reflect identified liabilities and obligations.

9.10 It is proposed to establish an Overdown Rise Footpath Maintenance Reserve of £0.020m. This is required because it has been agreed with the owner of the land that the footpath will become a designated right of way and maintenance responsibility will transfer to the council. The owner has paid a sum of £0.020m for future years' maintenance and it is proposed that this be held in a reserve and drawn down as required. Committee approval for creation of the reserve is sought.

10 PROPOSED ALLOCATION OF ADDITIONAL RESOURCES

10.1 The provisional outturn position for 2020/21 indicates that additional resources of £4.921m are available to support the council's financial position.

10.2 Before considering allocation of these resources, the committee is advised that the following items are currently placing pressure on the council's financial resilience and level of available reserves:

i) **Financial Smoothing:** In setting the budget for 2021/22, Budget Council agreed to the use of Financial Smoothing (i.e. internal borrowing from reserves) in the sum of £3.971m to balance the 2021/22 budget, to be repaid over 10 years starting in 2022/23. While the final use of Financial Smoothing is significantly below earlier projections made prior to government Covid funding announcements, the use of any reserves to balance the annual budget is not a financially healthy position for any authority. Ideally, reserves should therefore be replenished at the first opportunity in order to provide mitigation against any future financial risks or shocks.

ii) **Collection Fund deficits spread over 3 years:** The council's Business Rate and Council Tax collection was significantly impacted by the pandemic resulting in large Collection Fund deficits. These require further one-off resources of £1.238m to be identified in both 2022/23 and 2023/24 to meet the balance of the 2020/21 Collection Fund deficit remaining after government Covid funding and following the government's announcement

that local authorities would be allowed to spread the deficit over 3 years. These sums will need to be identified from available one-off resources in 2022/23 and 2023/24 otherwise further financial smoothing (borrowing from reserves) may be required.

iii) **Summary of all reserve calls:** Together with the Financial Smoothing above, the council has approved the use of reserves to support other initiatives on a temporary basis pending repayment. While these reserves will therefore be returned, it does mean that the level of cash-backed reserves available is suppressed until these are fully repaid. The reserves currently 'loaned' and the relevant payback periods are as follows:

Item/Reserve	Amount £m	Repayment Period	Repayments Start
Financial Smoothing of the 2021/22 General Fund Budget	3.971	10 years	2022/23
Term Time Only (TTO) back pay settlement for schools	3.300	10 years	2021/22
Surface Water Action Management Plan	0.385	10 years	2020/21
Waste PFI	0.170	4 years	2021/22
Royal Pavilion & Museums Trust Cash Facility	4.000	Up to 10 years	2021/22
Brighton Youth Centre	0.325	6 years	Est 2022/23
Total Borrowed	**12.151**		

iv) **The National Joint Council (NJC) pay offer:** The employers' side of the NJC has made a pay award offer of 1.5% under the national pay bargaining mechanism. Brighton & Hove City Council, as in previous years, followed the government's Spending Review assumptions for pay which was for a pay freeze, accept for those earning £24,000 or less for which provision was made in the council's budget. A 1.5% pay award (the minimum now likely) will cost £1.680m more than the current provision and will need to be addressed on a one-off basis in 2021/22 and permanently from 2022/23.

10.3 There are a small number of priority one-off costs that the committee are recommended to consider for allocation as follows:

i) **Moulescoomb Primary School £0.317m:** The school is currently designated for transfer to Academy status in 2021/22 under a statutory order. However, the school is currently in deficit and this is continuing to grow during 2021/22. At the point of transfer the deficit is estimated to be approximately £0.301m. In addition, there are legal and pension actuary costs relating to the TUPE transfer of staff estimated at £0.016m. The committee is therefore recommended to set aside £0.317m from the General Fund underspend for the potential transfer of the school to Academy status, which would otherwise need to be funded from the Dedicated Schools Grant following consultation and agreement with the Schools Forum.

ii) **The World Reimagined £0.160m:** The council has the opportunity to become one of 10 cities participating in this mass participation project which explores the impact of the Transatlantic Slave Trade over hundreds of years through to modern day barriers and looking into the future. This council has made a public pledge to work towards being actively anti-racist and this initiative could make a significant positive contribution to this commitment.

The project will see trails of large globe sculptures in cities across the UK in the summer of 2022, created by artists to bring to life the impact of the Transatlantic Slave Trade. The trails will be the centre of a broader education and engagement programme, with schools, community groups, sports and cultural institutions across the country. At the end of the project, The World Reimagined will auction a large number of the sculptures to raise money for people and organisations doing important work for racial justice.

It costs £0.085m to participate in The World Reimagined but, as a London-led scheme, there would need to be linked projects provided locally, estimated to cost £0.075m. Full engagement over the project content with relevant local groups will be programmed over the summer with the details of the project being relayed to and agreed at the September Tourism, Equalities, Communities & Culture (TECC) committee. The projects would take place over 2021/22 and 2022/23 and therefore the request at this stage is to ring-fence £0.160m from the available outturn resources to secure the council's commitment to this initiative.

iii) **Services for Young People with Special Educational Needs & Disability (SEND) £0.025m:** A key third sector provider in the city has suffered a large, unexpected loss of Big Lottery Funding which will put in jeopardy a number of important services for vulnerable young people with SEND. In the interim, the provider is furloughing some staff to reduce costs while it explores other fund raising opportunities but has requested additional temporary funding support from both the City Council and East Sussex County Council to ensure continuity of services. These services contribute to many of the outcomes identified in the City Council's SEND strategy 2021 to 2026 and provide important peer support and careers advice for young people with SEND. A contribution of £0.025m is recommended.

iv) **Corporate Plan Delivery Risk Provision £0.239m:** The council's Corporate Plan was supported by investment in priority areas in the 2021/22 revenue and capital budget. This included significant investments for carbon reduction and sustainability, including the Warmer Homes initiative, as well as a wide range of support for other priorities including housing, homelessness, tackling inequality, environmental and biodiversity improvements, seafront infrastructure, and sustainable transport initiatives.

The budget identified some additional resources to support delivery of these priorities but the ongoing impact of the pandemic through to at least July, has caused further delays to existing and planned programmes of work, including capital investment schemes, and has continued to divert staffing resources to the management of the pandemic. It is proposed that this sum be set aside to help to manage delivery risks and provide necessary short term resources to ensure advancement of projects and programmes including those relating to work already underway to address disadvantage, narrowing the attainment gap and providing safe routes and active travel to schools.

The requirement for resources is likely to fluctuate across programmes depending on current capacity and the impact of the pandemic on services, which does not fall evenly. To determine the use of this resource, it is therefore proposed to delegate allocation to the Chief Finance Officer following consultation with the Member Budget Review Group (BRG) attended by the Finance Leads of the three main groups.

10.4 Based on the information above and pursuing the recommended action of repaying Financial Smoothing from any outturn underspend, as set out in

paragraph 5.26 of the General Fund budget report in February 2021, the following allocation of available outturn resources is proposed:

Proposed Allocations	Amount (£m)
One-off provision for the 2021/22 Pay Award	1.680
Moulsecoomb Academy Transfer Costs	0.317
The World Reimagined	0.160
Services for Young People with SEND	0.025
Corporate Plan Delivery Risk Provision	0.239
Repayment of 2021/22 Financial Smoothing	2.500
Total Proposed Allocation	**4.921**

Note that repaying £2.500m financial smoothing will reduce the level of recurrent financial commitments in 2022/23 by £0.250m and is therefore preferred over holding funds for years 2 and 3 of the Collection Fund deficit.

10.5 In the event that the pay award is agreed at a higher level than the current (rejected) offer, the pay award provision will be increased and the amount set aside to repay Financial Smoothing will be correspondingly reduced.

11 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

11.1 The provisional outturn position on council controlled budgets is an underspend of £9.733m including the council's risk-share of the provisional underspend on NHS managed Section 75 services of £0.989m. This is an improvement of £4.921m compared with the projected position at month 9 providing additional resources for either repayment of reserves, or allocation to other priorities or reserves.

12 COMMUNITY ENGAGEMENT & CONSULTATION

12.1 No specific consultation has been undertaken in relation to this report.

13 CONCLUSION AND COMMENTS OF THE CHIEF FINANCE OFFICER (S151 OFFICER)

13.1 The overall resource position has improved by £4.921m compared with the position at Month 9 and assumed in the 2021/22 Revenue Budget report to Policy & Resources Committee and Budget Council in February 2021. This represents a good outcome for 2020/21 compared to early forecasts in the financial year before government Covid-19 funding support became clear. There remain underlying pressures across income generating areas and, in particular, homelessness and rough sleeping, which will need a smooth and orderly exit from the pandemic in order to avoid similar costs building up again in 2021/22.

14 FINANCIAL AND OTHER IMPLICATIONS

Financial Implications:

14.1 The financial implications are covered in the main body of the report. Financial performance is kept under review on a monthly basis by the Executive Leadership Team and cross-party Budget Working Group and the management and treatment of strategic financial risks is considered by the Audit & Standards Committee.

Finance Officer Consulted: Jeff Coates Date: 07/06/2021

Legal Implications:

Decisions taken in relation to the budget must enable the council to observe its legal duty to achieve best value by securing continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The council must also comply with its general fiduciary duties to its Council Tax payers by acting with financial prudence, and bear in mind the reserve powers of the Secretary of State under the Local Government Act 1999 to limit Council Tax & precepts.

Lawyer Consulted: Elizabeth Culbert Date: 21/06/21

Equalities Implications:

14.2 There are no direct equalities implications arising from this report.

Sustainability Implications:

14.3 Although there are no direct sustainability implications arising from this report, the council's financial position is an important aspect of its ability to meet Corporate Plan and Medium Term Financial Strategy priorities. The achievement of a break-even position or better is therefore important in the context of ensuring that there are no adverse impacts on future financial years from performance in 2020/21.

Risk and Opportunity Management Implications:

14.4 The council's revenue budget and Medium Term Financial Strategy contain risk provisions to accommodate emergency spending, even out cash flow movements and/or meet exceptional items. The council maintains a recommended minimum working balance of £9.000m to mitigate these risks. The council also maintains other general and earmarked reserves and contingencies to cover specific project or contractual risks and commitments and which also help to manage unexpected financial shocks.

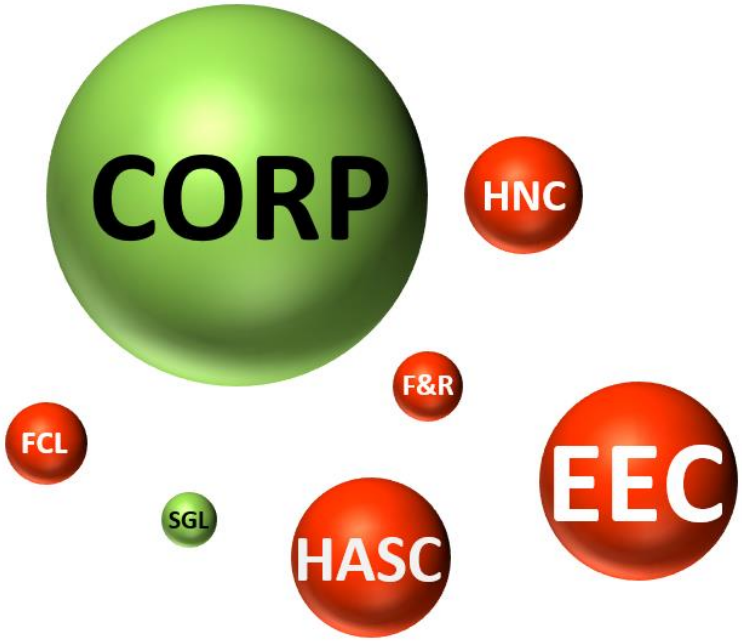
SUPPORTING DOCUMENTATION

Appendices:

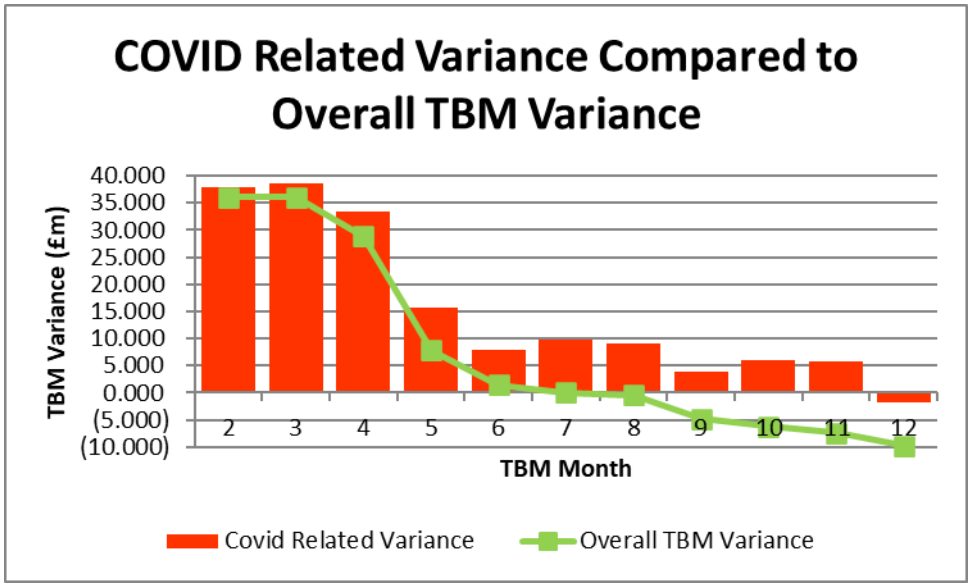
1. Financial Dashboard Summary
2. Revenue Budget Performance RAG Rating
3. Revenue Budget Movements since Month 9
4. Revenue Budget Performance
5. Year-end Carry Forward Requests
6. 2020/21 Savings Progress
7. Capital Programme Performance
8. Schedule of Reserves

Documents in Members' Rooms:
None.

Background Documents
None.



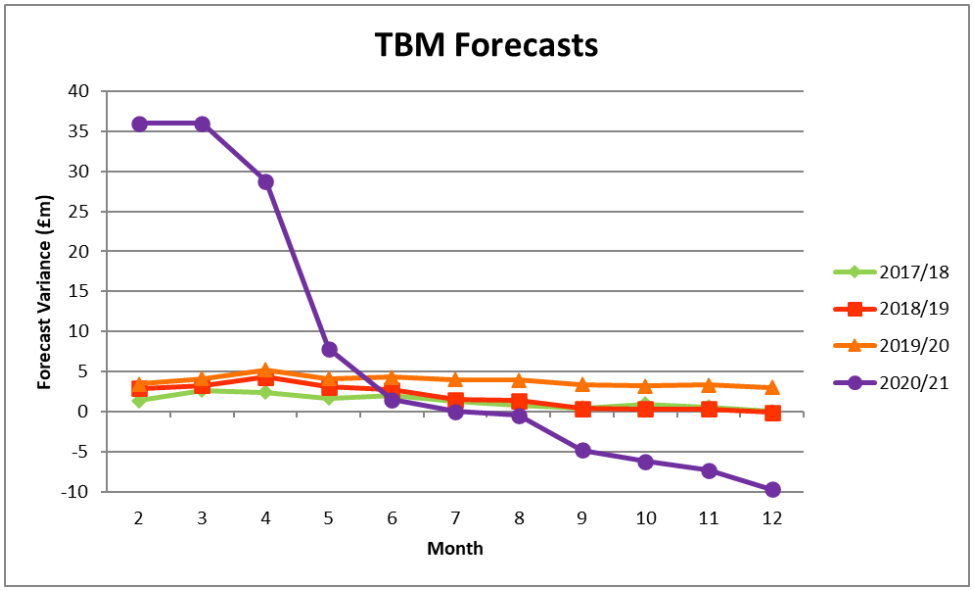
Red = overspent.
Green = Underspent.
Size of bubble indicates scale of under or overspend.
If a directorate is not shown then a break even position is forecast.

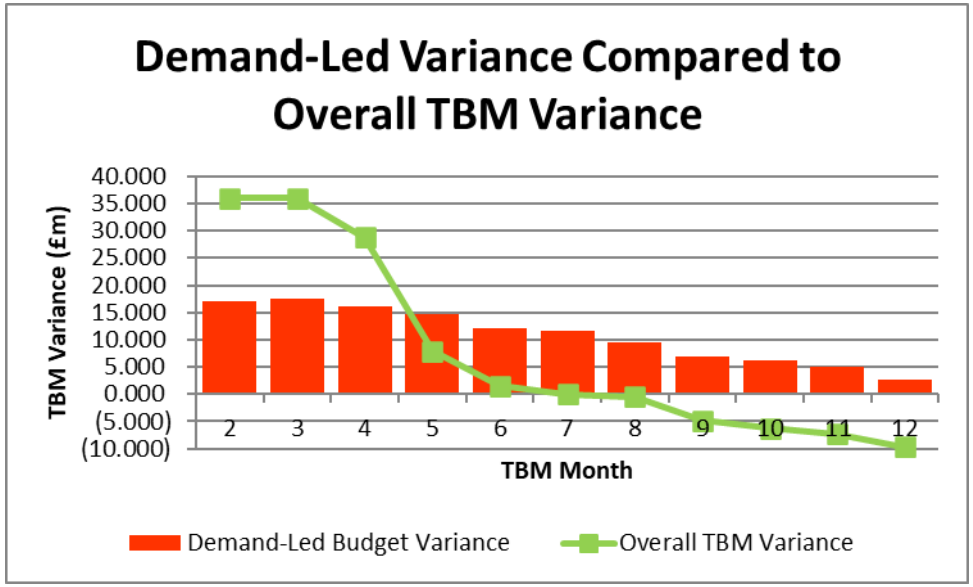


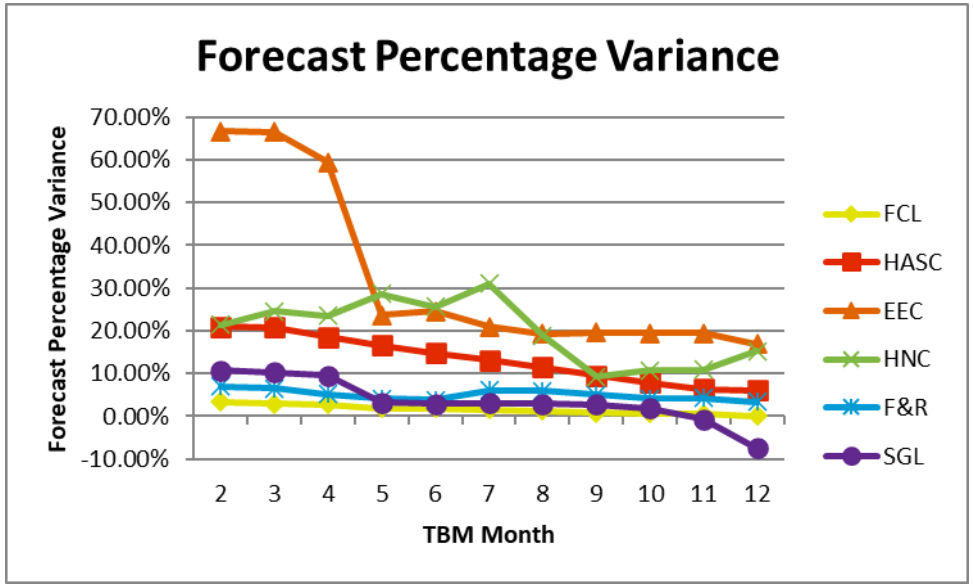
Direction of Travel

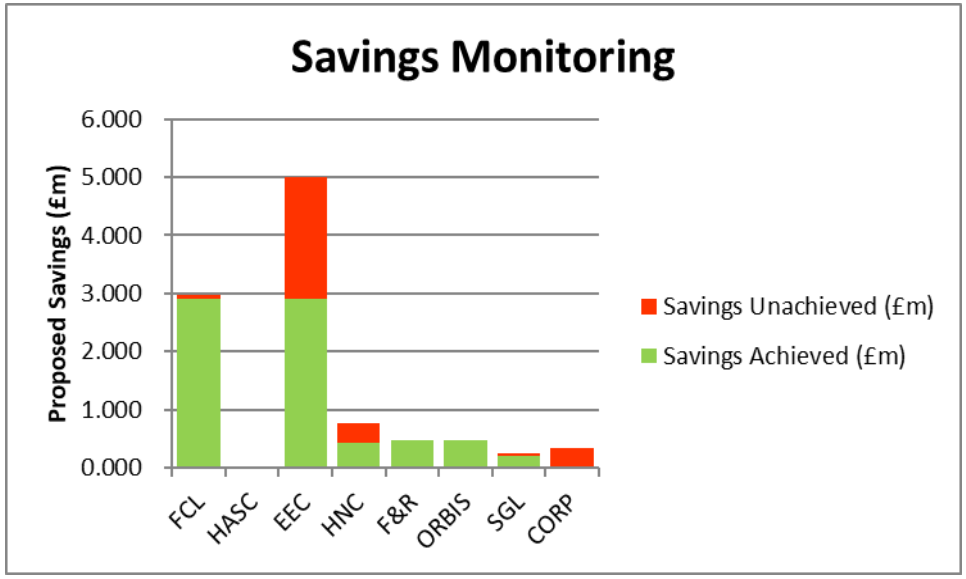
Directorate/Fund	Provisional Variance	Provisional Variance Month 12	Change From Month 9	RAG Rating Month 12
	£'000	%		
General Fund Services:				
Families, Children & Learning	78	0.1%	↑	Amber
Health & Adult Social Care	3,832	6.1%	↑	Red
Economy, Environment & Culture	5,936	16.8%	↑	Red
Housing, Neighbourhoods & Communities	2,069	15.2%	↓	Green
Finance & Resources	722	3.4%	↑	Red
Strategy, Governance & Law	(458)	-7.5%	↑	Green
Corporately-held Budgets	(21,912)	-47.5%	↓	Green
Total General Fund	(9,733)	-5.3%	↑	Green
Dedicated Schools Grant (DSG)	(746)	-106.1%	↑	Green
Housing Revenue Account	(436)	0.0%	↓	Green

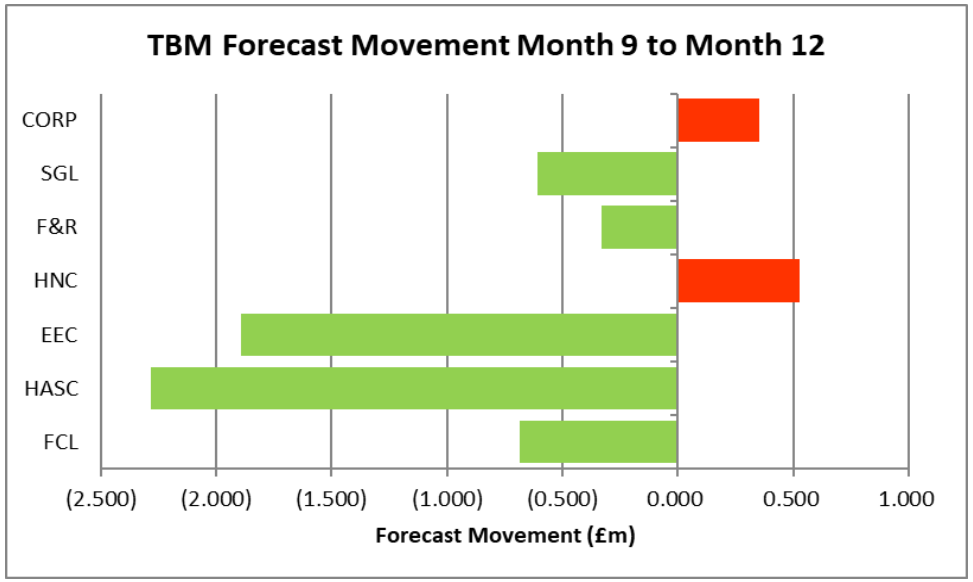
↑ = Improving position, ↓ = Worsening position




Demand-Led Variance Compared to Overall TBM Variance
TBM Variance (£m)
40.000
35.000
30.000
25.000
20.000
15.000
10.000
5.000
0.000
(5.000)
(10.000)
2 3 4 5 6 7 8 9 10 11 12
TBM Month
Demand-Led Budget Variance
Overall TBM Variance


Forecast Percentage Variance
Forecast Percentage Variance
70.00%
60.00%
50.00%
40.00%
30.00%
20.00%
10.00%
0.00%
-10.00%
2 3 4 5 6 7 8 9 10 11 12
TBM Month
FCL
HASC
EEC
HNC
F&R
SGL


Savings Monitoring
Proposed Savings (£m)
6.000
5.000
4.000
3.000
2.000
1.000
0.000
FCL
HASC
EEC
HNC
F&R
ORBIS
SGL
CORP
Savings Unachieved (£m)
Savings Achieved (£m)


TBM Forecast Movement Month 9 to Month 12
CORP
SGL
F&R
HNC
EEC
HASC
FCL
(2.500)
(2.000)
(1.500)
(1.000)
(0.500)
0.000
0.500
1.000
Forecast Movement (£m)

Service	Forecast Variance Month 9 £'000	Provisional Variance Month 12 £'000	Movement £'000	COVID Movement £'000	Explanation of Main Movements
Director of Families, Children & Learning	(11)	(12)	(1)	0	
Health, SEN & Disability Services	1,987	1,544	(443)	(1,067)	Improvement in Adult LD community care budget due to increased backdated funding from CCG, reclaim of direct payment surpluses and impact of court judgement regarding no backdated liability for sleep-in allowances. COVID-19 movement due to removal of impact on planned savings.
Education & Skills	867	735	(132)	24	
Children's Safeguarding & Care	(2,049)	(2,130)	(81)	(23)	Ongoing vacancies and reduced activity in the adolescent and contact services.
Quality Assurance & Performance	(29)	(59)	(30)	1	Various small changes
Further Financial Recovery Measures	0	0	0	0	
Total Families, Children & Learning	765	78	(687)	(1,065)	
Adult Social Care	2,681	1,725	(956)	(477)	Higher attrition rates than previously forecast. Adjustment to NHS England funding forecast for Quarter 4.
S75 Sussex Partnership Foundation Trust (SPFT)	(35)	(989)	(954)	(230)	Higher attrition rates than previously forecast. Adjustment to NHS England funding forecast for Quarter 4.
Integrated Commissioning	3,469	3,096	(373)	480	COVID-19 costs increased in Quarter 4 against previous forecast.
Public Health	0	0	0	3	
Further Financial Recovery Measures	0	0	0	0	
Total Health & Adult Social Care	6,115	3,832	(2,283)	(224)	
Transport	5,199	3,548	(1,651)	(1,435)	Parking Services as a whole generated (£1.251m) net movement due to contract and running cost reductions, improvements in Penalty Charge Notices in final quarter and reduction in contributions to bad debt provision as

Service	Forecast Variance Month 9 £'000	Provisional Variance Month 12 £'000	Movement £'000	COVID Movement £'000	Explanation of Main Movements
					well as lower than forecast parking, permit & suspensions income due to the impact of the 3rd lockdown. Other movements include (£0.238m) improvement in Traffic Management due to increases in final quarter for Traffic Regulation Orders, Road Works permits and other income. £0.150m worsening in Transport Policy & Strategy due to agency spend covering long term sickness and pending restructure to ensure adequate permanent resource as well as shortfalls in income. There was a £0.188m improvement in Transport Projects & Engineering as well as other smaller improvements. Concessionary Bus Fares improved by £0.091m due to an adjustment in February for under achievements in 2019/20 as part of the fixed deal.
City Environmental Management	800	555	(245)	102	Improvements to Commercial waste income and enforcement income in the final quarter.
City Development & Regeneration	(50)	(190)	(140)	(189)	Improvements to Development Planning income in the final quarter and favourable movements on staffing and other supplies & services budgets.
Culture, Tourism & Sport	761	363	(398)	(398)	The movement was mainly within Sport & Leisure (£0.508m) resulting from an increase in the income invoiced for Seafront Properties. This was due to greater certainty in the trading conditions

Service	Forecast Variance Month 9 £'000	Provisional Variance Month 12 £'000	Movement £'000	COVID Movement £'000	Explanation of Main Movements
					following the anticipated end of lockdown, as well as a forecast cost assumed for suppliers relief that was not required following negotiations. Other movements include additional payments agreed with the Royal Pavilion Museum Trust including Term Maintenance charge of £0.029m and the additional pay award in year of £0.035m. A net worsening of £0.094m in Venues due to a mixture of small improvements and additional premises costs.
Property	1,120	1,660	540	540	The movement is largely due to a higher than forecast contribution to bad debt provision due to increases in commercial rent arrears during the year as a result of the various lockdowns closing these businesses to the public. Agreed rent reductions also affected in-year income. Some planned maintenance projects were delayed due to COVID-19 restrictions resulting in carry forwards for projects that were started, paused and restarted thus affecting the completion of the overall annual programme.
Further Financial Recovery Measures	0	0	0	0	
Total Economy, Environment & Culture	7,830	5,936	(1,894)	(1,380)	
Housing General Fund	4,479	1,999	(2,480)	(1,777)	Use of Flexible Homelessness Support Grant of £2.463m and Housing Benefit from rough sleepers of £0.660m is now included in outturn. More expenditure on repairs of £0.099m, rough sleepers costs

Service	Forecast Variance Month 9 £'000	Provisional Variance Month 12 £'000	Movement £'000	COVID Movement £'000	Explanation of Main Movements
					£0.233m, travellers costs £0.041m, Seaside Homes £0.056m, Homemove £0.074m, Private sector housing 0.050m.
Libraries	143	(39)	(182)	(24)	Impact of third lockdown, particluarly the lack of need to cover staff absences during a lockdown.
Communities, Equalities & Third Sector	169	193	24	0	Minor variances.
Safer Communities	0	(84)	(84)	(8)	Staff vacancies.
Further Financial Recovery Measures	(3,250)	0	3,250	0	Incorporated in service outturns above.
Total Housing, Neighbourhoods & Communities	1,541	2,069	528	(1,809)	
Finance (Mobo)	(70)	(83)	(13)	0	Slightly lower audit and contractual costs than expected.
HR & Organisational Development (Mobo)	97	117	20	0	Further income pressures.
IT&D (Mobo)	0	0	0	0	
Procurement (Mobo	0	36	36	0	Small general budget pressure.
Business Operations (Mobo)	164	155	(9)	0	
Revenues & Benefits (Mobo)	254	280	26	19	
Housing Benefit Subsidy	557	259	(298)	0	Improvement in the net position on the collection of overpayments of £0.295m.
Contribution to Orbis	50	(42)	(92)	0	Reduced overspend of Orbis Partnership.
Further Financial Recovery Measures	0	0	0	0	
Total Finance & Resources	1,052	722	(330)	19	
Corporate Policy	0	1	1	0	
Legal Services	(115)	(167)	(52)	0	Further vacancy management and income overachievement.
Democratic & Civic Office Services	(9)	(156)	(147)	0	Underspends due to reduced committee meetings.

Service	Forecast Variance Month 9 £'000	Provisional Variance Month 12 £'000	Movement £'000	COVID Movement £'000	Explanation of Main Movements
Life Events	183	(163)	(346)	0	Increased funeral income towards year end and reduced costs of electoral service such as no canvassing.
Performance, Improvement & Programmes	(6)	(6)	0	0	
Communications	96	33	(63)	0	Higher recharging of costs than expected.
Further Financial Recovery Measures	0	0	0	0	
Total Strategy, Governance & Law	149	(458)	(607)	0	
Bulk Insurance Premia	0	0	0	0	
Capital Financing Costs	(1,219)	(1,272)	(53)	0	Interest Receivable improvements.
Levies & Precepts	0	0	0	0	
Unallocated Contingency & Risk Provisions	(217)	(262)	(45)	0	Term Time back-pay funding for General Fund staffing.
Unringfenced Grants	(23,283)	(23,297)	(14)	0	Transparency Code New Burdens Grant.
Other Corporate Items	2,455	2,919	464	(376)	Increased Bad Debt Provision £0.712m, Reduced PPE costs (£0.353m), COVID-19 Business Grants (£0.115m).
Further Financial Recovery Measures	0	0	0	0	
Total Corporately-held Budgets	(22,264)	(21,912)	352	(376)	
General Fund Total	(4,812)	(9,733)	(4,921)	(4,835)	

Appendix 3 – Revenue Budget RAG Ratings

RAG Rating Key:	RAG for Service Areas	RAG for Directorates[1]	RAG for General Fund
Red	Forecast overspend of 5% or more or £0.100m whichever is lower	Forecast overspend of 5% or more or £0.250m whichever is lower	Forecast overspend of 0.5% or more or £1.000m whichever is lower
Amber	Forecast overspend of less than 5% of budget or £0.100m, whichever is lower.	Forecast overspend of less than 5% of budget or £0.250m, whichever is lower.	Forecast overspend of less than 0.5% of budget or £1.000m, whichever is lower.
Green	Breakeven or forecast underspend	Breakeven or forecast underspend	Breakeven or forecast underspend

Service	2020/21 Budget Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %	RAG Rating Month 12
Director of Families, Children & Learning	104	(12)	-11.5%	Green
Health, SEN & Disability Services	42,519	1,544	3.6%	Red
Education & Skills	5,520	735	13.3%	Red
Children's Safeguarding & Care	40,828	(2,130)	-5.2%	Green
Quality Assurance & Performance	1,400	(59)	-4.2%	Green
Total Families, Children & Learning	90,371	78	0.1%	Amber
Adult Social Care	37,383	1,725	4.6%	Red
S75 Sussex Partnership Foundation Trust (SPFT)	18,370	(989)	-5.4%	Green
Integrated Commissioning	8,139	3,096	38.0%	Red
Public Health	(943)	0	0.0%	Green
Total Health & Adult Social Care	62,949	3,832	6.1%	Red
Transport	(3,001)	3,548	118.2%	Red
City Environmental Management	29,976	555	1.9%	Red
City Development & Regeneration	3,201	(190)	-5.9%	Green
Culture, Tourism & Sport	4,317	363	8.4%	Red
Property	817	1,660	203.2%	Red
Total Economy, Environment & Culture	35,310	5,936	16.8%	Red
Housing General Fund	4,531	1,999	44.1%	Red
Libraries	3,304	(39)	-1.2%	Green
Communities, Equalities & Third Sector	2,780	193	6.9%	Red
Safer Communities	2,988	(84)	-2.8%	Green
Total Housing, Neighbourhoods & Communities	13,603	2,069	15.2%	Red
Finance (Mobo)	348	(83)	-23.9%	Green
HR & Organisational Development (Mobo)	858	117	13.6%	Red
IT&D (Mobo)	5,079	0	0.0%	Green
Procurement (Mobo)	(84)	36	42.9%	Red
Business Operations (Mobo)	(184)	155	84.2%	Red
Revenues & Benefits (Mobo)	5,219	280	5.4%	Red
Housing Benefit Subsidy	(751)	259	34.5%	Red
Contribution to Orbis	10,967	(42)	-0.4%	Green
Total Finance & Resources	21,452	722	3.4%	Red
Corporate Policy	775	1	0.1%	Amber
Legal Services	1,555	(167)	-10.7%	Green
Democratic & Civic Office Services	1,768	(156)	-8.8%	Green
Life Events	114	(163)	-143.0%	Green
Performance, Improvement & Programmes	1,019	(6)	-0.6%	Green

Appendix 3 – Revenue Budget RAG Ratings

Service	2020/21 Budget Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %	RAG Rating Month 12
Communications	893	33	3.7%	Amber
Total Strategy, Governance & Law	6,124	(458)	-7.5%	Green
Sub Total	229,809	12,179	5.3%	
Bulk Insurance Premia	3,259	0	0.0%	Green
Capital Financing Costs	4,722	(1,272)	-26.9%	Green
Levies & Precepts	213	0	0.0%	Green
Unallocated Contingency & Risk Provisions	262	(262)	-100.0%	Green
Unringfenced Grants	(67,019)	(23,297)	-34.8%	Green
Other Corporate Items	12,471	2,919	23.4%	Red
Total Corporate Budgets	(46,092)	(21,912)	-47.5%	Green
Total General Fund	183,717	(9,733)	-5.3%	Green
Capital Financing	29,513	(469)	-1.6%	Green
Housing Management & Support	4,155	155	3.7%	Red
Head of City Development & Regeneration	590	(132)	-22.4%	Green
Income Involvement Improvement	(46,905)	(369)	-0.8%	Green
Repairs & Maintenance	10,140	(226)	-2.2%	Green
Property & Investment	(173)	2	1.2%	Amber
Tenancy Services	2,680	603	22.5%	Red
Total Housing Revenue Account	0	(436)	0.0%	Green
Individual Schools Budget (ISB)	131,774	0	0.0%	Green
Early Years Block (inc delegated to Schools)	13,810	(619)	-4.5%	Green
High Needs Block (exc delegated to Schools)	22,018	(138)	-0.6%	Green
Exceptions and Growth Fund	3,414	11	0.3%	Amber
Grant Income	(170,313)	0	0.0%	Green
Total Dedicated Schools Grant (DSG)	703	(746)	-106.1%	Green

([1]) In the above tables the Dedicated Schools Grant and Housing Revenue Account are treated as Directorates for the purposes of RAG rating.

Families, Children & Learning

Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Covid Variance Month 12 £'000	Provisional Variance Month 12 %	2020/21 Savings Proposed £'000	2020/21 Savings Achieved £'000	2020/21 Savings Unachieved £'000
(11)	Director of Families, Children & Learning	104	92	(12)	4	-11.5%	0	0	0
1,987	Health, SEN & Disability Services	42,519	44,063	1,544	674	3.6%	1,376	1,376	0
867	Education & Skills	5,520	6,255	735	574	13.3%	206	201	5
(2,049)	Children's Safeguarding & Care	40,828	38,698	(2,130)	402	-5.2%	1,362	1,287	75
(29)	Quality Assurance & Performance	1,400	1,341	(59)	1	-4.2%	38	38	0
765	Total Families, Children & Learning	90,371	90,449	78	1,655	0.1%	2,982	2,902	80

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances *(Note: FTE/WTE = Full/Whole Time Equivalent)*

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
Director of Families, Children & Learning			
(12)	4	Other	Minor variances.
Health, SEN & Disability Services			
1,242	239	Demand led - Children's Disability Placements	The number of placements and unit costs is significantly in excess of budget with particular pressure on external residential provision. There were six new high cost residential placements in the financial year, partly linked to COVID-19 and the additional pressure this has placed on families. There was also a one-off change to the apportionment of recharges between education and social care provision to reflect increased social care needs.
179	158	In-house disability services	There is an underlying budget pressure in in-house respite provision and additional staffing requirements due to COVID-19.

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
(126)	230	Adults LD - community care	The community care budget for Adults with Learning Disabilities is in excess of £30m and the year-end position is very close to breakeven. Despite planned savings not being directly achieved due to the impact of COVID-19 there have been reductions in spend in areas such as day services where provision has not been delivered. There have also been some improvements due to reclaim of direct payment surpluses and backdated funding from the CCG. Furthermore, client numbers have reduced in comparison to budget and this has mitigated the unachievable planned savings.
127	31	Children's Disability Direct Payments	One-off Increase in apportionment of social care element of direct payments. Some additional direct payments to support families linked to COVID-19.
157	0	Section 17 Preventive Payments	High cost emergency support arrangements with costs split between local authority and the CCG.
(35)	16	Other	Minor variances.
Education & Skills			
896	368	Home to School Transport	For 2020/21 the overspend was £0.896m, of which £0.368m related to additional costs as a result of COVID-19. Excluding COVID-19 related costs, the forecast overspend for 2020/21 has reduced from the initial estimate of £1.200m to £0.528m.The outturn improved significantly following the route planning work undertaken by the Home To School Transport Team for the new academic year. The figures include the impact of supplier relief payments and the additional costs from social distancing measures from September. The outturn includes government grants for home to school and college transport.
(30)	172	Council Nurseries and Children's Centres	There has been a significant loss of fee income against budget due to lower numbers of children strongly linked to the pandemic. However, the service has used the Coronavirus Job Retention Scheme (CJRS) which has meant reimbursement for staff costs as a result of furloughing equating to £0.135m. In addition, the government is providing a scheme to support local authorities with the impact of lost income due to COVID-19 and £0.349m will be recovered through this mechanism. For spring term 2021 the decision to restrict opening of council nurseries to vulnerable and key worker children had a detrimental impact on the levels of free entitlement income. This is estimated at £0.055m. However, the reduction in children means expenditure on staffing, particularly sessional and agency staff across most council nurseries has reduced. Overall, a net underspend of £0.013m was returned against council nurseries.

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			There was also a net underspend of £0.017m relating to the council's childrens centres and central early years budgets.
(131)	34	Other	Variances on other budgets but mainly relates to delays in Able & Willing Placements and Supported employment.
Children's Safeguarding & Care			
(1,165)	228	Demand-Led - Children's placements	The underspend relates to a number of different factors. There has been an increase in the level of grant available for care leavers and Unaccompanied Asylum Seeking Children. Despite overall numbers of children being placed in high cost placements increasing in recent months it is still within the budgeted level. The average unit costs for placements is increasing and is marginally higher than budgeted but overall the combination of these factors results in the underspend of £1.165m.
(215)	10	Preventive/S17	There is a significant underspend across the Preventive budgets. The continued scrutiny and controls on spending have resulted in a year end underspend despite the additional costs relating to COVID-19.
143	0	Legal Fees	There has been a significant increase in demand for child protection legal work in the last quarter of the year. Cases are taking longer for a number of reasons and new cases need to be allocated. This has, therefore resulted in additional costs being incurred by the in-house legal team resulting in the overspend.
(246)	17	Social Work Teams	The underspend is primarily due to the difficulty in recruiting psychologists in the Partners in Change hub and the recharge of costs from SPFT. In addition there have been a number of vacant posts across the service.
(113)	73	Contact Service	Activity levels are down from previous years and this has resulted in the underspend.
(226)	2	Adolescent service	The underspend in the adolescent service reflects the difficulty in recruiting to various vacant posts across the service.
(167)	0	Partners in Change Contracts	Contracts with SPFT and other partners have been re-negotiated reducing the cost to the Council.
(141)	72	Other	Minor variances.
Quality Assurance & Performance			
(59)	1	Other	

Health & Adult Social Care (HASC)

Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Covid Variance Month 12 £'000	Provisional Variance Month 12 %	2020/21 Savings Proposed £'000	2020/21 Savings Achieved £'000	2020/21 Savings Unachieved £'000
2,681	Adult Social Care	37,383	39,108	1,725	844	4.6%	0	0	0
(35)	S75 Sussex Partnership Foundation Trust (SPFT)	18,370	17,381	(989)	181	-5.4%	0	0	0
3,469	Integrated Commissioning	8,139	11,235	3,096	3,222	38.0%	0	0	0
0	Public Health	(943)	(943)	0	93	0.0%	0	0	0
6,115	Total Health & Adult Social Care	62,949	66,781	3,832	4,340	6.1%	0	0	0
0	Further Financial Recovery Measures (see below)	-	0	0	2,962	-	-	-	-
6,115	Residual Risk After Financial Recovery Measures	62,949	66,781	3,832	7,302	6.1%	0	0	0

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
Further Directorate Financial Recovery Measures			
0	2,962	Further Financial Recovery Measures projection	The initial recovery measures have now been incorporated into the forecast above. The Directorate is working on additional measures and confirming plans to further mitigate the current forecast.
Adult Social Care			
1,405	216	Demand-Led Community Care - Physical & Sensory Support	The forecast number of placements/packages is 2,039 WTE, which is below the budgeted level of 2,321 WTE placements. The average unit cost of a placements/package is higher than the budgeted level at £214 per week (£38 per week above budget per client). The combination of the number of adults placed being 282 WTE below the budgeted level and the increased unit costs result in the overspend of £1.405m. Therefore, the overall activity is below the budgeted level

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			however the unit costs are 22% above budget and causing a significant pressure. This is due to increasing numbers of placements (many of which are hospital discharges) being made at high unit costs as a result of COVID-19. A significant portion of the overspend is attributable to COVID-19 - £0.216m for the costs of increased demand for care packages and care home placements, and additional payments to providers in support of COVID-19, net of NHS England funding.
(32)	0	Demand-Led Community Care - Substance Misuse	There are relatively small numbers of clients within this service and the activity is below the budgeted demand resulting in the underspend of £0.032m.
(495)	69	Assessment teams	This is due to a number of temporary vacancies across the Assessment teams.
854	439	In house services	There is an underlying budget pressure in in-house provision. There are also additional staffing requirements and income pressures due to COVID-19.
(7)	0	Other	Minor variances.
S75 Sussex Partnership Foundation Trust (SPFT)			
(654)	20	Demand-Led - Memory Cognition Support	The number of forecast placements are lower than budgeted resulting in the underspend projection of £0.654m. The forecast number of placements/packages is 365 WTE which is below the budgeted level of 397 WTE placements. The average unit cost is below the budgeted level at £337 per week (£4 per week below budget). Therefore, the overall activity is 32 WTE below budget and the unit costs are 1% below budget.
(282)	110	Demand-Led - Mental Health Support	The average unit cost is less than anticipated and this results in the underspend projection of £0.282m. There is an increasing need and complexity within this client group and the forecast number of placements/packages is 445 WTE, which is above the budgeted level of 418 WTE placements. The average unit cost of a placement/package is lower than the budgeted level at £331 per week (£34 per week less than the budget per client). A significant portion of spend is attributable to COVID-19 - £0.110m for the ongoing costs for increased demand for care packages and care home placements, and additional payments to providers in support of COVID-19
(53)	0	Staffing Teams	This is due to a number of temporary vacancies across the Assessment teams.
Integrated Commissioning			

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
460	0	External Funding	£0.460m is the net pressure to the Council following recurrent reductions in funding from Brighton & Hove CCG. The Council has allocated reinvestment funding to mitigate this however the pressure of £0.460m remains.
2,571	3,163	Contracts	The overspend is attributable to COVID-19 and reflects the forecast statutory costs to support verified rough sleepers. The additional costs are partially offset by the MHCLG emergency accommodation grant and Next Steps Accommodation Programme grant
65	59	Commissioning teams	The overspend relates to additional staffing costs within the commissioning, performance and management teams
Public Health			
0	93	Other	Minor variances.

Economy, Environment & Culture

Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Covid Variance Month 12 £'000	Provisional Variance Month 12 %	2020/21 Savings Proposed £'000	2020/21 Savings Achieved £'000	2020/21 Savings Unachieved £'000
5,199	Transport	(3,001)	547	3,548	4,111	118.2%	3,877	2,109	1,768
800	City Environmental Management	29,976	30,531	555	1,302	1.9%	265	265	0
(50)	City Development & Regeneration	3,201	3,011	(190)	235	-5.9%	155	126	29
761	Culture, Tourism & Sport	4,317	4,680	363	323	8.4%	260	233	27
1,120	Property	817	2,477	1,660	1,660	203.2%	447	176	271
7,830	Total Economy, Environment & Culture	35,310	41,246	5,936	7,631	16.8%	5,004	2,909	2,095

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
Transport			
11,724	11,724	Parking Services	Parking Services experienced a net underachievement of £11.724m as a result of the various lockdowns throughout the year before allocation of the Sales, Fees & Charges compensation grant (£8.403m). Of this net underachievement £14.119m is the in year loss of income against budget for parking and penalty charge notice income. Parking income is a demand led activity which can be difficult to predict and was also negatively impacted by the COVID-19 infection control measures. Other significant variances include overachievements in Parking Suspension income (£0.379m) mostly from improvements in the final quarter and lower than budgeted PCN bad debt provision (£0.383m). There were also significant underspends across Contracts, Debt Collection and Transactional costs (£1.450m) as a result of lower activity from the pandemic and the effect of the recent restructure which has allowed officers to continue to reduce some of the historic

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			PCN backlog and also deal with debt more effectively at the front end as well as focusing on contract work across the teams. Financing costs also underspent in year, reducing the net overspend of Parking Services by (£0.224m). A range of other less significant variances make up the balance of (£0.041m).
14	134	Transport Projects and Engineering	Payments to Bus Operators exceeded budget by approximately £0.150m. The unanticipated third COVID-19 lockdown increased costs and reduced revenue guarantee bus contract income. The Department of Education School Travel Grant did not cover the costs of increased school buses. Road Safety Education overspent by £0.069m due to staff costs associated with training delivery. Bus Shelter Advertising Income was underbudget by £0.130m as a result of rent relief agreed with Clear Channel UK due to COVID-19). Bus Shelter spending in Valley Gardens of £0.109m was not budgeted. These overspends were offset by the underspend of £0.148m on Flood Risk Management and Highway maintenance costs of £0.138m. Lighting and Structural Maintenance costs underspent by £0.146m where COVID-19 impacted maintenance contractors particularly in the early stages of the lockdown.
(142)	272	Traffic Management	Hoarding Licence income (£0.225m), Scaffold Licence income (£0.152m) , Traffic Regulation Orders income (£0.111m) and Streetworks fees £0.094m) have all exceeded budget. These have been partially offset by Highways Licensing income underachieving due to waived Tables and Chairs licence fees £0.072m (COVID-19) and Skip income £0.079m underachieving. Costs in implementing Street Manager software exceeded budget by £0.049m and other COVID-19 related highway regulation costs of £0.086m were identified. Ultimately Road Work Permit Fees and Fines Income were only £0.035m less than budgeted (COVID-19).
150	0	Transport Policy and Strategy	Highways Development Control and Transport Assessment overspent by £0.158m. Agency staff have been employed during the year to deal with an increasing workload pending a team restructure to provide adequate permanent officer resource. This has not been completed as anticipated, further exacerbated by the long-term sickness absence of the Team Manager. Levels of anticipated income have also not materialised.
(85)	0	Concessionary Bus Fares	Additional income of £0.130m was received in February for B&H buses for underachievement in 2019/20 as part of the fixed deal. There are also other smaller variances for all of the bus companies.
(34)	60	Head of City Transport	Minor variances.

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
(8,079)	(8,079)	Sales, Fees and Charges Grant	This is the estimated value of the grant due to be claimed based on the outturn position of losses of income driven by the COVID-19 outbreak.
City Environmental Management			
725	800	City Clean	£1.285m of the net overspend is waste collection and street cleansing (operational) agency costs substantially driven by COVID-19 staffing related shortfalls. This is offset by staffing underspends of (£0.219m). Commercial income has returned to budgeted levels due to easing of lockdown for trade waste and increase renewals of Garden Waste Collection towards the end of the financial year. Other Service delivery is under review and measures are being put in place to reduce costs such as service improvement plans, rationalisation of bin/box deliveries and a mobile collection team to more efficiently support rounds. However there are cost pressures which cannot be mitigated such as beach clean ups.
0	417	Waste Disposal	The £0.417m impact of COVID-19 on the waste disposal contract has been managed through the Waste PFI Reserve.
(2)	100	City Parks	An in-year spending pressure mainly for emergency tree maintenance (Dutch Elm disease related) is being contained within existing Parks Services budgets. This is the cost of essential public health and safety works to remove dead trees. Park Services' budgets were actively managed to bring the service in on budget.
(408)	34	Fleet & Maintenance	Fleet & Maintenance underspent by £0.408m (with additional COVID-19 related costs contained within existing budgets).Progress has been made in Fleet and Maintenance to control and reduce costs which has now delivered results.For example, vehicle hire costs are lower than at the same point last year.
234	100	Head of City Environmental Management	There is a £0.100m management/service improvement team pressure which was funded from the Modernisation Fund in 2019/20. This team and also part of Strategy & Projects are working to deliver the service improvements and operational reviews to deliver cost reductions going forward. This also includes £0.100m of the additional waste disposal COVID-19 related costs such as stewarding at the household waste disposal sites.
245	90	Strategy & Projects	There is a £0.200m management/service improvement team pressure which was funded from the Modernisation Fund in 2019/20. This also includes a forecast loss of income due to COVID-19 such as not charging for public toilets.
(239)	(239)	Sales, Fees and Charges Grant	This is the estimated value of the grant due to be claimed based on the outturn position of losses of income driven by the COVID-19 outbreak.
City Development & Regeneration			

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
678	678	Development Planning	Loss of Planning and Building Control income due to COVID-19. The net overspend reduced since Month 9 due to improvements in Planning income in the final quarter.
(127)	0	Planning Policy and Major Projects	Principal Planning Officer post vacant for eight months and part time Waste Planning post vacant.
(284)	0	Sustainability & International	Delay in recruiting for Bio Diversity Officer and a post within City Wide Food projects.
47	0	Assistant Director - EEC	Overspend on Firstcare Attendance Management fees not budgeted for.
(1)	60	Various	Minor variances.
(503)	(503)	Sales, Fees and Charges Grant	This is the estimated value of the grant due to be claimed based on the outturn position of losses of income driven by the COVID-19 outbreak.
Culture, Tourism & Sport			
1,972	1,972	Royal Pavilion and Museums	Loss of income due to closure of all buildings from COVID-19. Some overspend offset by reduced expenditure on some costs such as building maintenance and staff costs.
40	0	Arts	Additional staffing costs and Legal fees to be paid related to the Royal Pavilion and Museums Trust.
599	599	Sports and Leisure	Loss of income due to COVID-19, including rent reductions on seafront properties and assumed closure of Volks Railway for the whole year.
1,221	1,221	Venues	Loss of income from closed venues and cancelled events due to COVID-19. Partially offset by reduced staff and building costs.
184	184	Tourism and Marketing	Loss of income due to reduced visitor/tourist numbers and cancellation of conferences due to COVID-19. Also includes £0.100m overspend for waiving of partnership fees as agreed at Policy &Resources sub-committee on 29th May 2020.
(3,653)	(3,653)	Sales, Fees and Charges Grant	This is the estimated value of the grant due to be claimed based on the outturn position of losses of income driven by the COVID-19 outbreak.
Property			
1,660	1,660	Property	The fast changing impact of COVID-19 continued to put increasing pressures on many Property budgets. Increased cleaning specifications, deep cleans and specific cleaning materials in increased volumes have led to pressures within the Building Cleaning Service. Increased need for security for many areas, the need to secure sites where work was paused due to COVID-19 and cover for staff in isolation resulted in a large pressure within the Premises/Concierge Service. This

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			was partially offset by some reductions in provision in some areas. Many building projects were put on hold resulting in reduced fee income to the Technical Services Team. The Energy Team identified some savings resulting from closures due to COVID-19 and also reviewed electricity and gas prices which reduced the full year costs accordingly. COVID-19 has put pressure on some council commercial tenants particularly those dependent on the travel industry and Estates have been liaising with tenants who are struggling with their rental payments to negotiate and conclude alternative payment arrangements, deferral or reduction on a case by case basis. A process for considering these cases was implemented and the second trance of rent reductions lead to further income loss.

Housing, Neighbourhoods & Communities

Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Covid Variance Month 12 £'000	Provisional Variance Month 12 %	2020/21 Savings Proposed £'000	2020/21 Savings Achieved £'000	2020/21 Savings Unachieved £'000
4,479	Housing General Fund	4,531	6,530	1,999	1,788	44.1%	500	150	350
143	Libraries	3,304	3,265	(39)	119	-1.2%	89	89	0
169	Communities, Equalities & Third Sector	2,780	2,973	193	185	6.9%	11	11	0
0	Safer Communities	2,988	2,904	(84)	46	-2.8%	170	170	0
4,791	Housing, Neighbourhoods & Communities	13,603	15,672	2,069	2,138	47.1%	770	420	350
(3,250)	Further Financial Recovery Measures (see below)	-	0	0		-	-	-	-
1,541	Residual Risk After Financial Recovery Measures	13,603	15,672	2,069	2,138	15.2%	770	420	350

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
Housing General Fund			
246	170	Temporary Accommodation (TA)	The net overspend of £0.246m consists of: • £0.950m overspend due to higher than budgeted levels of households using spot purchase accommodation. The budget assumes an average of 36 units of spot purchase accommodation through the year and at the end of March there were 105 units for statutory homeless accommodation in use. This includes a £0.100m overspend due to an increase to rents for some emergency TA units. Continued similar levels of overspending as in 2019/20 on other areas of TA such as income collection and void loss mean that £0.350m of savings were not met. The outturn includes the use of £0.098m

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			reserves following review of the Damage Deposit Guarantee Scheme Reserve. • Overspend of £0.261m relating to spend on repairs and void works. The volume of repairs and void works to leased accommodation has reduced compared to the prior year, due to the restrictions as a result of COVID-19 but this budget is still overspending and has been adjusted as part of the budget setting process for 2021/22. • An underspend on the contribution to the bad debt provision of £0.072m. • Net underspend of £0.300m relating to the new investment funding for an enhanced level of service for emergency short term accommodation. Rnewal of these contracts has been delayed due to the pandemic. • Net £1.870m overspend from higher levels of households using emergency spot purchase accommodation as a result of COVID-19 for those housed as part of the 'everyone in' initiative up to March 2021. This is net of the extra Housing Benefit income of £0.485m due to be collected as a result of this increase. As at the end of January an additional 145 clients were housed over and above the 105 units in spot purchase at the start of the year. However, by the end of March 2021 the 145 had reduced to 93 and so there were 198 units of spot purchase accommodation in use. This also includes food costs, where applicable. • The use of one off Flexible Homelessness Support grant funding of £2.463m.
1,533	1,533	Rough Sleeper Accommodation	This relates to the cost of hotel and university accommodation and move on costs for housing rough sleepers to 31 March 2021 as part of the 'everyone in' initiative by the Government. The total cost for the year is £4.523m. However, this has been offset by a share of the Next Steps Accommodation Programme (NSAP) grant (allocated between the HASC and HNC directorates) of £2.329m, and also by housing benefit income of £0.661m reducing the net overspend to £1.533m. The costs of support, security costs etc. are shown in figures for HASC and food costs are shown within the costs of Temporary Accommodation.
(40)	(100)	Private Sector Housing	Underspend of £0.150m relating to the new investment funding for the further enforcement work with private sector landlords. There was no spend during 2020/21 due to the impact of the pandemic. This is offset by an overspend of £0.030m due to the reduction in work carried out for the additional licensing scheme, £0.020m for the stock condition survey and an overspend of £0.060m

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			relating to Minimum Energy Efficiency Standard fine income which is not achievable.
136	0	Seaside Homes	Overspend of £0.191m mainly due to shortfalls in income collection due in part to the impact of Universal Credit which is partially offset by the release of the Seaside Homes revenue reserve of £0.055m.
72	177	Housing Options	Additional staffing costs to undertake assessments of rough sleepers and other newly accommodated households under COVID-19 provision. This has been offset by other vacancies within the service.
(58)	0	Travellers	Underspend due to staff vacancies,and reduced rubbish clearance and legal costs.
74	0	Homemove	Overspend on extra staffing and IT costs due to the need for parallel running of old and new choice based lettings IT systems and unexpected issues with implementation.
36	8	Various	Other minor variances across the service including an overspend on the strategic director costs partly due to interim arrangements.
Libraries			
119	119	Libraries Income	There was a loss of income due to COVID-19 from shop sales, meeting space bookings, fines and charges of £0.405m. This has been partially mitigated by the Sales Fees and Charges Grant of £0.286m.
(138)		Employee costs	There was a net underspend against staffing, primarily due to lockdowns and not having to cover staff absences.
(20)		General	Minor variances.
Communities, Equalities & Third Sector			
185	185	Vulnerable People cell	Extra Food Partnership costs as a result of COVID-19.
8	0	General	Minor variances.
Safer Communities			
46	46	Loss of licensing income	The impact of COVID-19 on Environmental Health and Licensing income was £0.094m. This was offset by the Sales, Fees and Charges grant of £0.048m.
(122)	0	Employee costs	Net underspend against staffing as a result of vacancies across the service.
(8)	0	General	Minor variances.

Finance & Resources

Revenue Budget Summary

Forecast	2020/21 Provisional	Provisional	Covid Provisional	2020/21	2020/21	2020/21

Variance Month 9 £'000	Service	Budget Month 12 £'000	Outturn Month 12 £'000	Variance Month 12 £'000	Variance Month 12 £'000	Variance Month 12 %	Savings Proposed £'000	Savings Achieved £'000	Savings Unachieved £'000
(70)	Finance (Mobo)	348	265	(83)		-23.9%	0	0	0
97	HR & Organisational Development (Mobo)	858	975	117	26	13.6%	0	0	0
0	IT&D (Mobo)	5,079	5,079	0	25	0.0%	225	225	0
0	Procurement (Mobo)	(84)	(48)	36	1	42.9%	0	0	0
164	Business Operations (Mobo)	(184)	(29)	155	13	84.2%	0	0	0
254	Revenues & Benefits (Mobo)	5,219	5,499	280	190	5.4%	250	250	0
557	Housing Benefit Subsidy	(751)	(492)	259		34.5%	0	0	0
50	Contribution to Orbis	10,967	10,925	(42)		-0.4%	477	477	0
1,052	Total Finance & Resources	21,452	22,174	722	255	3.4%	952	952	0

Mobo = Specific budget items held by Orbis but **M**anaged **o**n **b**ehalf **o**f the relevant partner i.e. they are sovereign, non-partnership budgets. Under or overspends on Mobo budgets fall directly to the relevant partner whereas Orbis Operational budget variances are shared in accordance with the Inter-Authority Agreement (IAA).

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
Finance (Mobo)			
(83)	0	Finance (Mobo)	The vacant post of the Executive Director has saved £0.137m in the year, net of acting up costs. This was partially offset by higher external audit costs of £0.037m and other net additional contractual costs of £0.017m including FirstCare.
HR & Organisational Development (Mobo)			
117	26	Human Resources	The service was overspent by £0.117m at year end, an increase of £0.020m from Month 9. This figure allowed for £0.144m Learning & Development Social Work grant funding to be carried forward into 2021/22. There was a pressure against the funding of union time of £0.048m which will increase slightly in the new financial year when the Branch Secretary post is filled. There were income pressures within the

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			service of £0.107m which were partly offset by net underspends of £0.038m.
Procurement (Mobo)			
36	1	Procurement	There was a small budget pressure for the service of £0.036m in 2020/21.
Business Operations (Mobo)			
155	13	Business Operations	The pressure of £0.155m was mostly due to additional system costs including significant ICON hosted implementation costs of £0.079m and a shortfall in staff advertising income of £0.047m. There were also COVID-19 costs of £0.013m, mostly for payment of overtime.
Revenues & Benefits (Mobo)			
280	190	Revenues & Benefits	The main element of the overspend is a shortfall in court costs income of £0.366m for which £0.190m relates to the impact of COVID-19. Staffing costs are being offset on a one-off basis by a combination of New Burdens and grant funding resulting in net saving of £0.089m.
Housing Benefits Subsidy			
287	0	Housing Benefit Subsidy	The final outturn is a pressure of £0.259m which is an improvement of £0.298m compared to Month 9. Within this there is a surplus of £0.047 relating to the collection of overpayments of former Council Tax Benefit and this is £0.013m worse than Month 9. There is an overspend of £0.306m on the main subsidy budgets which is an improvement of £0.311m from Month 9. Within this there is a pressure of £0.541m relating to a particular benefit type for vulnerable tenants which is not fully subsidised. The net position on the collection of overpayments is £0.225m better than budget and there are other minor favourable variances of £0.010m.
F&R Contribution to ORBIS			
(42)	0	Contribution to Orbis	This underspent in the end by £0.042m, affected by some late credits of £0.028m. £0.014m related to BHCC's share of the Orbis overspend of £0.075m, mostly due to a pressure within Business Operations of £0.482m due to unmet savings targets,mostly offset by significant underspends in IT&D (£0.190m), Finance and Centres of Expertise (£0.135m) and Management (£0.138m)

Strategy, Governance & Law

Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Covid Variance Month 12 £'000	Provisional Variance Month 12 %	2020/21 Savings Proposed £'000	2020/21 Savings Achieved £'000	2020/21 Savings Unachieved £'000
0	Corporate Policy	775	776	1		0.1%	27	27	0
(115)	Legal Services	1,555	1,388	(167)		-10.7%	103	103	0
(9)	Democratic & Civic Office Services	1,768	1,612	(156)		-8.8%	12	12	0
183	Life Events	114	(49)	(163)	188	-143.0%	8	8	0
(6)	Performance, Improvement & Programmes	1,019	1,013	(6)		-0.6%	49	49	0
96	Communications	893	926	33	108	3.7%	44	0	44
149	Total Strategy, Governance & Law	6,124	5,666	(458)	296	-7.5%	243	199	44

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
Corporate Policy			
1	0		Minor variances
Legal Services			
(167)	0	Legal Services	An increased underspend of £0.167m, due to vacancy management including some voluntary reduction in hours. There was also some overachievement of income in relation to environment related work.
Democratic & Office Services			
(156)	0		An underspend of £0.156m resulting from a combination of the impact of the pandemic with a move to virtual meetings and the reduction in printing costs of agendas with more councillors moving to electronic papers. In addition, there was a saving on the overall Members allowances and training budgets, and with very few physical civic

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			engagements there was less demand on staffing and hospitality and costs in the Civic Office. The Ward Budgets were underspent by year end and this has been requested for carry forward into 2021/22 with the majority of the funding now allocated. Although it is a significant underspend for the service, taking into account the savings for 2021/22 and the return to physical meetings and civic engagements it is not anticipated that this position would be repeated.
Life Events			
(163)	188	Life Events	There was an overall underspend of £0.163m across Life Events services at year end due to significant impacts of COVID-19. This underspend is helped by government funding for income loss of £0.157m for the year. Most of the issue was in Registrars with a net pressure of £0.271m as a result of the lockdowns including a period of service suspension. Bereavement Services however, experienced a high demand for funeral services during the last quarter, peaking in February 2021, resulting in a recovery for the service. Levels of business remained fairly consistent with previous non-COVID-19 rates, prior to January. Additional business came to Woodvale after other areas of Sussex experienced high demand, and this to led bereaved families and Funeral Directors using cremation slots that remained available in Brighton & Hove during February. There was also an increase in local funerals at this time. The outcome was an additional £0.162m that had not been forecast. This increase in income enabled a partial offsetting against the Registration Service pressures. Elsewhere in Bereavement Services, there were expected pressures in the Public Health Funerals service of £0.029m, and other overspends generally of £0.018m. This includes costs for the installation of, and ongoing provision of service enhancements that were necessary due to limits in mourners being stipulated by the government. This includes webcasting of funeral services. There were anticipated vacancy savings of £0.239m, mostly from the Elections Team (£0.101m), but also in Bereavement (£0.064m) and Registrars (£0.063m), whilst services plan to redesign. There were underspends in the Elections and Electoral Registration of

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
			£0.108m, following reductions in canvassing processes as dictated by pandemic circumstances during the annual electoral canvass, This included reductions in printing costs.
Performance, Improvement & Programmes			
(6)	0	Performance Team	Minor variances.
Communications			
33	108	Communications	There was a pressure of £0.033m for the year, despite COVID-19 pressures of £0.108m, being unachievable restructuring savings (£0.044m) and extra advertising and distribution costs (£0.064m). Staffing costs otherwise underspent by £0.025m due to vacancy management, and supplies and services costs were managed by maximising recharges to other services and there was also a small underspend in the Graphic Design Team.

Corporately-held Budgets

Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Covid Variance Month 12 £'000	Provisional Variance Month 12 %	2020/21 Savings Proposed £'000	2020/21 Savings Achieved £'000	2020/21 Savings Unachieved £'000
0	Bulk Insurance Premia	3,259	3,259	0	0	0.0%	0	0	0
(1,219)	Capital Financing Costs	4,722	3,450	(1,272)	0	-26.9%	0	0	0
0	Levies & Precepts	213	213	0	0	0.0%	0	0	0
(217)	Unallocated Contingency & Risk Provisions	262	0	(262)	0	-100.0%	0	0	0
(23,283)	Unringfenced Grants	(67,019)	(90,316)	(23,297)	(23,244)	-34.8%	0	0	0
2,455	Other Corporate Items	12,471	15,390	2,919	2,220	23.4%	340	0	340
(22,264)	Total Corporately-held Budgets	(46,092)	(68,004)	(21,912)	(21,024)	-47.5%	340	0	340

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
Capital Financing Costs			
(1,140)	0	Interest Payable and Minimum Revenue Provision (MRP)	Reduction in cost of financing debt and MRP due to pause and delays in delivery of the Capital Programme.
(122)	0	Interest receiveable	Increased balances compared to expectation, so a number of longer term deals undertaken to improve yield.
(10)	0	Debt Management Expenses	Removal of brokerage costs as a result of no longer requiring new debt in 2020/21.
Unallocated Contingency & Risk Provisions			
(175)	0	Release of risk provision	The general risk provision of £0.750m had £0.575m earmarked against pay award and the remaining £0.175m was released.

Key Variances £'000	Covid Variances £'000	Service Area	Variance or Financial Recovery Measure Description
(42)	0	Release of residual carbon neutral allocation	Pausing of the capital programme has meant financing costs included within the £0.200m allocated for Carbon Neutral schemes were not required in 2020/21.
(45)	0	Term Time GF funding	Contingency set aside for the impact of changes to term time hours for non schools staff was not allocated to services and therefore released.
Unringfenced Grants			
(23,244)	(23,244)	Covid 19 Grant	This is the amount of COVID-19 grant allocated to the council in four tranches. £7.857m relates to the remaining allocation carried forward from 2019/20 in respect of the first tranche of £8.157m and there is £8.048m, £2.557m and £4.782m in respect of the second to fourth tranches.
(39)	0	Extended Rights to Free Transport	Higher than forecast grant allocation for 2020/21 for Local Reform and Community Voice grant and Extended Rights to Free Transport.
(13)	0	Transparency Code New Burdens Grant	New Grant paid in March 2021.
(1)	0	Other	
Other Corporate Items			
1,847	1,847	PPE	Gross costs of PPE are £2.037m and this has been net off by £0.190m of COVID-19 Infection Control grant.
168	168	Covid 19 Death Management	Council's share, as part of the Sussex Resilience Forum, of Death Management costs across Sussex.
(51)	0	Pensions	Of this, an underspend of £0.103m relates to the Unfunded Pension Costs budget consisting of an overpayment from 2019/20 of £0.068m and an in year variance of £0.035m. This is partially offset by other corporate pension related liabilities of £0.052m.
90	90	Purchase of Laptops	Cost of purchasing laptops for homeworking during the pandemic.
39	0	Repayment of Reserves	Repayment of SWAMP reserve (over 10 years).
712	0	Bad Debt Provision	Net increase to the corporate bad debt provision due to an increase in harder to collect (i.e. ageing) debt, in significant part due to Covid-19.
115	115	Covid Business Grants	Value of COVID-19 Summer Lockdown business grant late payments not funded directly by Government.
(1)	0	Other	Minor variances.

Housing Revenue Account (HRA)

Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Covid Variance Month 12 £'000	Provisional Variance Month 12 %
(110)	Capital Financing	29,513	29,044	(469)	0	-1.6%
(74)	Housing Management & Support	4,155	4,310	155	149	3.7%
(135)	Head of City Development & Regeneration	590	458	(132)	(60)	-22.4%
(246)	Income, Involvement & Improvement	(46,905)	(47,274)	(369)	224	-0.8%
(670)	Repairs & Maintenance	10,140	9,914	(226)	(650)	-2.2%
161	Property & Investment	(173)	(171)	2	(150)	1.2%
492	Tenancy Services	2,680	3,283	603	505	22.5%
(583)	Total Housing Revenue Account	0	(436)	(436)	18	0.0%

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances

Key Variances £'000	Covid Variances £'000	Service Area	Variance Description
Capital Financing			
(131)	0	Financing costs	Significant reprofiling of HRA capital expenditure from 2019/20 into 2020/21 impacts on the timing of when borrowing is required to be undertaken to fund the expenditure. This has resulted in lower interest charges being incurred during 2020/21, compared to the original budget forecast.
(338)	0	Direct revenue funding (DRF)	A reduced capital programme, largely as a result of COVID-19 restrictions has resulted in less DRF being required.
Housing Management & Support			
(130)	0	Transfer Incentive Scheme	This service assists tenants to down-size or to move into more suitable or accessible accommodation. Each case takes time to complete and the budget underspent by £0.130m.
149	149	Temporary Accommodation - Rents	Less rental income for Temporary Accommodation units in the HRA than expected due to delays to the completion of

Key Variances £'000	Covid Variances £'000	Service Area	Variance Description
			schemes to provide council owned TA and fewer home purchase properties being used for TA than budgeted.
(43)	0	Employee costs	Underspend against staff training and agency staff budget.
145	0	Support service costs	Mainly due to an increased contribution to Legal Services of £0.060m and a one-off budget adjustment of £0.058m relating to 2019/20 which will be reversed in 2021/22.
34	0	Other	Minor variances.
Head of City Development & Regeneration			
(132)	(60)	Staffing	Staffing underspends as COVID-19 meant delayed recruitment.
Income, Involvement & Improvement			
(253)	0	Employee costs	Underspend on employee costs of £0.253m across Performance & Improvement, Income Management, Rent Accounting and Customer Service teams.
(314)	0	Provision for Bad Debts	Underspend on the contribution to bad debt provision. The budget for this contribution was increased as part of the budget setting process for 2020/21 in anticipation of the continuation of the trend seen in 2019/20 of increasing arrears. However, the arrears levels in the HRA have not increased as anticipated in 2020/21, even with the pandemic.
226	180	General Needs - Rents	Overspend mainly due to the increase in rent loss from properties being empty. This is due to the delays caused by the pandemic where lettings were put on hold and also challenges of re-starting the service after the initial lockdown.
44	44	Laundries costs	Non collection of laundry charges as a result of infection control issues caused by the pandemic.
(28)	0	Resident Involvement	An underspend on printing costs.
(44)	0	Other	Minor variances.
Repairs & Maintenance			
(636)	(650)	Repairs & Maintenance	There was a significant underspend of £1.526m across the service, mainly due to the impact of reduced activity due to COVID-19. Spend against sub-contractors and materials was approximately £0.700m less than budgeted, owing to the first five months of operation being impacted by the COVID-19 restrictions in place and the service attending to emergency

Key Variances £'000	Covid Variances £'000	Service Area	Variance Description
			repairs only. Vacancies were also held, pending the full service resuming which accounts for a further £0.826m underspend. This has been offset by an earmarked reserve of £0.440m created in recognition that works will over-run into 2021/22. Also a provision for £0.450m has been set up to pay backdated harmonisation costs for the repairs staff that transferred to the council on 1st April 2020.
410		Programme team	It was originally planned that the costs for the programme team would be met by the earmarked reserve for 'set-up and mobilisation' relating to the in-sourcing of the Repairs & Maintenance service. However given the favourable TBM position across the HRA this has not been necessary and the reserve will be carried forward to 2021/22 to help fund the project costs for the replacement of the repairs works management system (WMS).
Property & Investment			
859	0	Leaseholder - Service Charges Major Works	There was a lower than expected level of leasehold service charget for major works in 2020/21. Provision in the HRA budget allowed for billing of £3.6m, based on likely completion times for a large number of projects. Due to the COVID-19 restrictions in place it took longer to complete or reach final account on one large major project and a couple of smaller projects, resulting in a lower level of £2.8m actually billed in 2020/21 with the remainder forecast for billing in 2021/22.
(295)	0	Leaseholder - Service Charges	Income for annual service charges was slightly more than budget assumptions.
(323)	0	Repairs & Improvement	There was an underspend due to changes in the timescales for recruiting additional staff to support the new arrangements for planned and major works. This was a result of changes to programme start dates whilst procurement work was paused through the COVID-19 pandemic.

Key Variances £'000	Covid Variances £'000	Service Area	Variance Description
(170)	(150)	Mechanical & Electrical (M&E) - Service contracts	An underspend against the servicing and maintenance contracts across M&E, as a result of the COVID-19 restrictions.
(122)	0	Leasehold Professional Fees	There was a significant increase in legal fee income from lease extensions and collective enfranchisement. This is largely due to the age profile of leases.
53	0	Other	Minor variances.
Tenancy Services			
223	223	Estates Cleaning	There was additional spend against agency staff in the estates services team due to the increased cleaning requirements as a result of COVID-19.
76	70	Other Employee costs	Extra staff costs in tenancy management and re-housing teams in part due to COVID-19 and also staff turnover was lower than expected at budget setting time leading to an overspend on these budgets.
113	0	Security costs	Overspend largely relates to the use of security guards at two central blocks of flats to ensure the safety of residents at risk.
66	0	Temporary Accommodation	An overspend on the use of temporary accommodation for council housing tenants.
35	35	Rents & Service Charges	Income from rents and service charges for Seniors Housing was slightly lower than budget assumptions due to increases in void losses.
177	177	Council Tax	Increase in council tax costs in respect of the higher number of empty council dwellings awaiting repairs.
(87)	0	Other	Other net underspends across this service including £0.105m on utilites costs for dwellings common ways.

Dedicated Schools Grant (DSG)

Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2020/21 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Covid Variance Month 12 £'000	Provisional Variance Month 12 %
0	Individual Schools Budget (ISB)	131,774	131,774	0	0	0.0%
(381)	Early Years Block (excluding delegated to Schools) *(This includes Private Voluntary & Independent (PVI) Early Years 3 & 4 year old funding for the 15 hours free entitlement to early years education)*	13,810	13,191	(619)	15	-4.5%
27	High Needs Block (excluding delegated to Special Schools)	22,018	21,880	(138)	147	-0.6%
87	Exceptions and Growth Fund	3,414	3,425	11	34	0.3%
0	Grant Income	(170,313)	(170,313)	0	0	0.0%
(267)	Total Dedicated Schools Grant (DSG)	703	(43)	(746)	196	-106.1%

The Covid variances shown in the tables above and below are included within the “Forecast Variance” and “Key Variances” columns.

Explanation of Key Variances

Key Variances £'000	Covid Variances £'000	Service Area	Variance Description
Early Years Block (including delegated to Schools)			
(385)	0	Early Years Free Entitlement	Lower free entitlement payments to private, voluntary and independent sector providers and council nurseries in spring term linked to lower attendance due to COVID-19.
(240)	0	Early Years Unallocated	Balance of DSG underspend from 2019/20 to be carried forward and used to offset anticipated early years pressures in 2021/22.
6	13	Other	Minor variances.
High Needs Block (excluding delegated to Schools)			
373	74	Educational Agency Placements	There has been an increase in the cost of some bespoke tuition packages, some of which relates to COVID-19. The agency budget has also been impacted due to

Key Variances £'000	Covid Variances £'000	Service Area	Variance Description
			a lack of local provision for cognitively able children with Autism and Anxiety/Social Emotional Mental Health (SEMH) needs who have not been able to manage in local mainstream schools despite intervention from external agencies. Furthermore, there has been an increasing cost of the education packages linked to external residential disability placements.
212	0	Mainstream top-up	There has been overall significant growth both in terms of Education & Healthcare Plan (EHCP) numbers and the unit rate of top-up funding assigned. There has been a particular increase in demand through higher numbers of EHC needs assessments for early years children with complex needs from nursery into primary mainstream reception classes in September 2020 requiring high levels of support.
(99)	0	Specialist Provision - Resource Bases	Increased provision for the new Cullum Centre - not yet at full capacity from September 2020.
(84)	0	Special school top-up and support	Surplus of additional service pressure funding over new placements during the financial year.
(500)	0	High needs recharges	A one-off reduction in the level of high needs recharges between education and social care budget areas.
(40)	0	Other	Other variances.
Exceptions and Growth Fund			
(64)	0	Schools contingency	Under allocation of schools contingency budget for 2020/21.
52	57	Ethnic Minority Achievement Service (EMAS)	Loss of income in the EMAS service due to COVID-19.
18	44	Access to Education	This is as a result of the estimated loss of fines income due to COVID-19.
5	0	Other	Minor variances.

Directorate	Unit	Details	Proposed Carry Forward Amount £'000
Non Grant Funded Areas			
FCL	Health SEN & Disability	The directorate has set aside funding to provide social work capacity to undertake essential quality assurance reviews of 130 service users placed outside of the City. This relates to recent quality and safety issues identified in out of city placements, and the need to ensure that all other placements are effectively monitored as a matter of priority. Completion of the reviews has been delayed due primarily to the pandemic and will need to continue into 2021/22.	50
FCL	Quality Assurance & performance	BHCC host the Brighton & Hove Safeguarding Children Partnership (BHSCP) budget. The local authority, CCG and Sussex Police provide the majority of the budget funding. The budget pays for the business support team functions, training, independent scrutiny costs and independent practice review work. The Lead partners agreed a supplemental MOU (in addition to the BHSCP's published arrangements) which enable a budget carry forward per annum. Any decisions regarding the BHSCP budget must be signed off by the three lead partners (BHCC, CCG and Sussex Police).	55
FCL	Quality Assurance & performance	Appointment of the Information Asset Administrator (IAA) post was delayed by 3 months and this carry forward will enable the required extension of the IAA post until the Business Partner model for Corporate Information Governance is put in place.	11
HASC	Integrated commissioning	The Safeguarding Adults Board (SAB) budget has continued to be funded via multi agency contributions from BHCC, Sussex Police & Brighton & Hove CCG. All three agencies contributions increased from the beginning of 2020/21 in order to fund a full-time Business Manager for the BHSAB. There is also a part-time Quality Assurance Officer, working two days a week for BHCC, with additional contributions received by SCFT and ESFRS to fund this post. The SAB also has a part-time Administrator. The SAB was also planning to hold a virtual annual Safeguarding conference during the course of 2020/21 but due to the continuing impact of the pandemic this has been moved to 2021/22 with costs that will include keynote speakers. Carry forward is required in accordance with the agreement with partners and to meet ongoing commitments.	79
HASC	Integrated commissioning	Housing first funding of £0.138m was awarded for 2020/21 but due to Covid a new contract could only started in Jan 2021 totalling £11,500 per month for 3 months = £34,500 spent. The remaining £103,500 is required to be carried forward to meet the remaining contract commitment.	104

Directorate	Unit	Details	Proposed Carry Forward Amount £'000
EEC	Culture, Tourism & Sport	There is a commitment to fund the Cultural Framework's cross-sector working groups that are delivering the Council's Cultural priorities. The public consultation process had to be delayed extensively and shifted to a series of films, so this has taken six months longer to complete. However, the consultant is under contract and therefore carry forward is required to fund this work.	10
EEC	Property & Design	**Planned Maintenance Budget 2020/21 Carry Forward Requests:** PMB works were severely impacted by the pandemic and therefore significant re-profiling (carry forward) is required to ensure these essential works are completed. The total carry forward includes the following works: • Works to William IV Gate £0.077m; • Hove Museum ex decs £0.035m; • Booth Museum works £0.009m; • Late procurement of seafront railings and shelters works now due Spring 21 £0.150m; • Woodvale Lodge Rebuilding of Gable on pitched rood plus external timber £0.059m; • Kipling Gardens, flint wall repairs £0.025m; • Preston Manor works £0.041m; • Repainting tennis court surfaces at Dyke Road tennis courts £0.010m; • Old Courhouse survey delayed to summer 21 £0.003m; • Tarner Tower – Flint Repairs (originally due to be complete March 21) £0.010m.	419
EEC	City Development & Regeneration	Budget was transferred from the International & Sustainability Team to the Planning Policy, Projects & Heritage Team to support the preparation of a Nature Conservation Supplementary Planning Document. Due to Covid-19 and the consequent impacts on staff capacity and ability to progress other key project work such as City Plan Part Two, work on the Supplementary Planning Document has had to be deferred to 2021/22. This is necessary work and part of the Corporate Plan to address the biodiversity emergency and improve biodiversity throughout the statutory Planning system.	20
EEC	City Development & Regeneration	Meanwhile Use/Pop Up shops - Following a successful pilot, further work to develop and deliver empty shop use in Brighton City Centre. There is a contractual commitment to a final payment of £0.004m on completion of at least 12 pop up shops for the project as part of initiative due to effects of Covid.	4

Appendix 5 – Year-end Carry Forward Requests

Directorate	Unit	Details	Proposed Carry Forward Amount £'000
EEC	City Development & Regeneration	Greater Brighton Economic Board (GBEB) funds are made up of funding contributions from the constituent Board members, i.e. the seven Local Authorities, the education providers, business partners and the South Downs National Park. The pooled contributions, (which are held on behalf of GBEB by BHCC) represents funds that support the GBEB five-year plan approved by Committee on the 26th March 2019. This carry forward request is to ensure that this pooled funding is safeguarded as it will be used to deliver a number of identified work streams and the GBEB five-year strategy action plan.	79
EEC	City Environmental Management	City Parks Trees – The existing budget within City Parks set out a programme of work of planting new trees and the removal of diseased trees. Additional procurement issues caused delays in getting this programme of work up and running as well as problems caused by the pandemic. The service will need to catch up with its works programme of tree planting and removal of diseased trees as well as its work plans for 2021/22 during financial year 2021/22	140
EEC	City Environmental Management	Parks Projects – The pandemic caused procurement delays in securing playground works. This is effectively a re-profiling request and the service will need to catch up with its works programme supporting City Parks as well as its work plans for 2021/22 during financial year 2021/22	90
EEC	Transport	Parking Infrastructure – The budget within parking includes planned works for implementing new parking zones. Due to the pandemic these planned infrastructure works were delayed. This re-profile (carry forward) will ensure the service can catch up with the planned programme of works for maintaining its parking infrastructure which supports parking incomes.	281
EEC	Transport	Parking Control Centre – Similarly, the budget within parking includes programmed maintenance of infrastructure maintained by the Parking Control Centre. Due to the pandemic these maintenance works have been delayed and will need to be undertaken in 2021/22.	80
EEC	City Development & Regeneration	The consultant team led by Tibbalds Planning & Urban Design was appointed and commenced work on a masterplan in January 2020. Delays in the completing work to timetable resulted from the ongoing Covid-19 situation. The first draft of the document was completed in the autumn of 2020 and public consultation was undertaken between Dec 2020 – Feb 2021 and there is a contractual commitment to complete the work which requires carry forward.	13

Directorate	Unit	Details	Proposed Carry Forward Amount £'000
EEC	City Development & Regeneration	Feasibility work for a Brighton & Hove carbon offsetting scheme in 2020/21 was not progressed. The design and delivery of the city Climate Assembly and the development of the Carbon Neutral Programme were initially prioritised but research has now started. This will not be completed until 2021/22 and carry forward is requested to fund completion of this work.	50
EEC	City Development & Regeneration	In 2020/21 the cross-council team working on the 2030 Carbon Neutral Programme has focussed on developing the Programme, so there have been minimal costs. As we move into delivery stage and out of Covid restrictions there will be a significant increase in programme and project activity including communications and engagement work. Whilst there is significant capital funding available via the SCRIF and the Climate Assembly Action Capital Investment Fund, there is a need for the revenue funding to be carried forward to support the delayed projects and staffing.	153
EEC	City Development & Regeneration	Funds are required to be carried forward in line with the current project timetable. These funds are from a Budget Amendment (no. 3) where £0.100m of total resources were made available to fund the development of a masterplan and enabling works for the Madeira Terrace, Black Rock and Gasworks sites, to ensure synergy between these developments. Carry forward is requested to enable completion.	93
EEC	City Development & Regeneration	Funds are required to be carried forward in line with the current project timetable. These funds are from the All-party Budget Amendment proposed by the Group Leaders where £0.100m was made available to fund design, feasibility and business case studies for potential commercial uses of the Madeira Terraces, including estimating the likely income streams that could support further borrowing. Carry forward is requested to enable completion.	37
HNC	Libraries	Funding commitment to support the ongoing Covid related digital inclusion work done by Digital Brighton & Hove over the last year. Carry forward is required to meet this commitment.	74
HNC	Safer Communities	Restricted funding from strategic partners for Violence against Women and Young Girls commissioning budget. Projects are to be completed in 2021/22.	58
HNC	CETS	Like all events, the Multi Cultural Festival (MCFest) has been postponed due to COVID-19. Carry forward is requested to support the event in 2021/22.	7
F & R	HROD	Underspend due to COVID related delays in delivery of accredited social work CPD modules, BIA refresher training and AMHP refresher training required under the Mental Health Act. This £0.014m is committed against delivery of the above in 2021/22.	14

Directorate	Unit	Details	Proposed Carry Forward Amount £'000
F & R	IT&D	Last year IT&D intended to undertake document destruction in preparation for a new document management contract. Neither of these happened as the pandemic meant that visits to the storage facility were not possible. The contract renewal is being finalised and it is intended to move to a new Supplier in 2021/22. The budget to undertake the preparation work has been charged to other Directorates by agreement and therefore carry forward is requested to fulfil this work on their behalf.	42
SGL	Democratic & Civic Office Services	The Ward budget scheme for 2020/21 could not be fully spent by the end of the financial year by many Ward Members due to the pandemic causing delays to local projects and environmental improvements and facilities that members wished to support. These have now started to come through in 2021/22 and carry forward is therefore requested to accommodate the delayed spend.	42
SGL	Policy Partnerships & Scrutiny	The underspend needs to be carried forward to accommodate cyclical projects such as 2030 Vision, City Tracker, support for theme groups, live music venues programme, creation of policy framework for city and support for the policy network. Many of these programmes involve city wide partners, most of whom contribute to this pot of money.	18
Total Non Grant Funded Areas			2,023
Grant Funded Areas			
FCL	Dedicated Schools Grant	Under the Schools Finance Regulations, the unspent part of the DSG must be carried forward to support the Schools Budget in future years.	746
FCL	Education & Skills	The Government has announced that the Troubled Families Programme will continue for 2021/22. There are high pressures in the Intensive Team for Families with a waiting list for support.	93
HASC	Public Health	Due to the additional pressures facing Public Health during 2020/21 from COVID19, there has been considerable delayed or suspended programme spend. The money being carried forward will be used to contribute towards programmes in 2021/22 where needed to improve services, such as smoking cessation, metal health services and substance misuse.	1,464
HASC	Integrated commissioning	This carry forward relates to funding from the MHCLG received in 2020/21 for the Supported Housing Placement Officer post. Due to Covid there was a delay in recruitment to this post.	30
EEC	City Development & Regeneration	The MHCLG Grant carried forward from last year was not spent this year because the Neighbourhood Forum did not submit their Neighbourhood Plan for examination. They are now in the process of submitted their Plan and BHCC will need to appoint an Examination Inspector in the next financial year 2021/2022 to run the examination and Local Referendum processes.	30

Appendix 5 – Year-end Carry Forward Requests

Directorate	Unit	Details	Proposed Carry Forward Amount £'000
EEC	Transport	Specific Bikeability Cycle Training which, due to the current COVID restrictions and schools' reluctance to have instructors in, has not taken place in 2020/21. The Sussex Safer Schools Partnership have approved the carry forward in writing to 2021/22 as long as the funds are spent for their intended purpose (i.e Bikeability staffing). Spend will need to be outlined in summative evaluations with the Programme Board.	10
HNC	Libraries	An external grant of £10,000 was received from The Reading Agency to help BAME communities to engage with reading. Due to Covid restrictions, it has only been possible to spend £5,149 of this before the end of March. Carry forward of £4,851 is required to complete the project at the start of the next financial year and to deliver on our commitments to the external funder.	5
HNC	Safer Communities	There was an additional £10,000 grant received from the Department for Education for the project 'Out Of School Settings' but due to the continued closures of OOSS settings this needs to be carried forward. The DfE have confirmed agreement to this.	10
HNC	CETS	This is a year-on-year request. Funding is received from the Home Office to support the Syrian Refugee Programme and costs will continue to be incurred in 2021/22, which will be set against the grant.	166
F & R	HROD	DfE Teaching Partnership funding - funding received ESCC as a result of a successful bid to DfE for Teaching Partnership funding for social work education; partnership includes ESCC (lead partner), BHCC, University of Sussex and University of Brighton.	5
F & R	HROD	DfE Step Up funding - funding received DfE as a result of successful bid to DfE for Step Up cohort 6 (commenced January 2020) and cohort 7 (selection for programme commencing July 2021) funding for Step Up PGDip qualifying programme; partnership includes BHCC (lead partner), ESCC and University of Sussex. Carry forward is required in accordance with the DfE grant agreement to fund completion of the programme for trainees selected for cohort 6 and 7.	88
F & R	HROD	This is a year-on-year request. Student Social Work Placement programme. Of the £0.065m grant income from DHSC Daily Placement Fee funding (claimed on our behalf by Universities of Brighton and Sussex) there is an ongoing commitment to mainstream the existing Professional Education Consultant roles (x4) during 2021/22.	20
F & R	HROD	ASYE programme HASC - funding is received from Skills for Care to support Assessed & Supported Year in Employment for newly qualified social workers in adults' services; ASYE runs September to August.	5

Appendix 5 – Year-end Carry Forward Requests

Directorate	Unit	Details	Proposed Carry Forward Amount £'000
F & R	HROD	ASYE programme FCL - funding received from DfE to support Assessed & Supported Year in Employment for newly qualified social workers in children's services; ASYE runs September to August.	12
Corporate	Corporate Services	The DWP paid a grant in the last two weeks of March 2021 to meet ongoing administrative burdens in respect of COVID business and other support grant distribution. This will be carried forward to support continued work through to at least June 2021.	122
Corporate	Corporate Services	The government's COVID Hardship Fund of £2,329,833 was received in 2020/21 to reduce Council Tax liability by £150 for all CTR claimants and provide for other discretionary welfare support. There remains £186,062 at year-end that will be carried forward to provide discretionary hardship support in 2021/22.	186
Corporate	Corporate Services	This is the £76,500 New Burdens funding for the council undertaking work on the Additional Restrictions Grant which will be used for continuing work on the ARG in 2021/22 up to at least June 2021.	76
Corporate	Corporate Services	The Self Isolation Payments discretionary funding up to end of February (£158k) for spend up to March (£47k) hasn't been fully spent in 2020/21 and therefore the unspent March /April allocation will be carried forward on the balance sheet to fund additional discretionary awards in 2021/22.	111
Corporate	Corporate Services	The Self Isolation admin grant payment will be carried forward to meet the ongoing cost of responding to COVID until at least June 2021.	119
Total Grant Funded Areas			**3,298**
Total Carry Forward Requests			**5,321**

Savings Monitoring 2020/21

General Fund

Directorate	2020/21 Savings Proposed £'000	2020/21 Savings Achieved £'000	2020/21 Savings Unachieved £'000	COVID Element of Unachieved £'000
Families, Children & Learning	2,982	2,902	80	0
Health & Adult Social Care	0	0	0	0
Economy, Environment & Culture	5,004	2,909	2,095	2,009
Housing, Neighbourhoods & Communities	770	420	350	0
Finance & Resources	475	475	0	0
ORBIS	477	477	0	0
Strategy, Governance & Law	243	199	44	44
Corporate Budgets	340	0	340	250
Total Directorate Savings	**10,291**	**7,382**	**2,909**	**2,303**

Directorate	2020/21 Savings Proposed £'000	2020/21 Savings Achieved £'000	2020/21 Savings Unachieved £'000	COVID Element of Unachieved £'000
Housing Revenue Account	0	0	0	0
Total HRA Savings	**0**	**0**	**0**	**0**

Families, Children & Learning – Capital Budget Summary

Forecast Variance Month 9 £'000	Unit	Reported Budget Month 9 £'000	New Schemes £'000	IFRS Changes £'000	Variations, Slippages & Reprofiles £'000	Reported Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Director of Families, Children & Learning	0	0	0	0	0	0	0	0.0%
0	Health, SEN & Disability Services	86	0	0	0	86	43	(43)	-50.0%
0	Education & Skills	11,220	0	(393)	747	11,574	11,573	(1)	0.0%
0	Schools	75	0	0	(33)	42	42	0	0.0%
0	Children's Safeguarding & Care	72	0	0	(35)	37	36	(1)	-2.7%
0	Quality Assurance & Performance	0	0	0	0	0	0	0	0.0%
0	Total Families, Children & Learning	11,453	0	(393)	679	11,739	11,694	(45)	-0.4%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	Amount £'000	Project	Description
Health, SEN & Disability Services			
Variance	(43)	Beach House	Less than £0.100m
Education & Skills			
IFRS change	223	Devolved Capital Adjustments	See paragraph 8.1 (v) of the main report for a general explanation of IFRS changes.
IFRS change	(132)	Capital Maintenance 2019/20	See paragraph 8.1 (v) of the main report for a general explanation of IFRS changes.
IFRS change	(396)	Capital Maintenance 2020/2021	See paragraph 8.1 (v) of the main report for a general explanation of IFRS changes.
IFRS change	(28)	Capital Maintenance 2018/19	Less than £0.100m
IFRS change	(59)	New Pupil Places	Less than £0.100m
Variation	68	Capital Maintenance 2019/20	Less than £0.100m
Variation	50	Improvements to Early Years Settings	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Variation	(50)	Improvements to Early Years Settings	Less than £0.100m
Reprofile	796	New Pupil Places	A reprofile of the New Pupils Budget was reported at Month 9 into 2021/22 resulting from schools reducing access for works during the pandemic. However, a number of projects supported by the secondary capital element of basic need started towards the end of the financial year and progressed well with a number of valuations paid which weren't anticipated at Month 9. A reprofile is required to meet the cost of works that recommenced in 2020/21.
Reprofile	339	Capital Maintenance 2020/2021	A reprofile of the New Pupils Budget was reported at Month 9 into 2021/22 resulting from schools reducing access for works during the pandemic. Some projects caught up following Month 9 which meant additional payments went through and more fees were paid to the surveying team from the closure of schools during the pandemic. A reprofile is required to meet the cost of works that recommenced in 2020/21.
Reprofile	(241)	Devolved Formula Capital 2020/2021	The capital works funded from the Devolved Capital Maintenance budget that were reported to this committee in March 2020 have been delayed due to the closure of schools resulting from the Covid-19 pandemic. A reprofile of these schemes is required into 2021/22. Devolved Formula Capital is a financial resource that is devolved to schools by the LA. Schools have the option to accrue the money for a maximum of 3 years and are able to request their allocation at any time. Any remaining budget will be rolled forward to 2021/22 in the usual way.
Reprofile	(15)	Additional Devolved Formula Capital 2018-19	Less than £0.100m
Reprofile	(16)	Capital Maintenance 2018/19	Less than £0.100m
Reprofile	(18)	Devolved Formula Capital 2018/19	Less than £0.100m
Reprofile	(35)	Improvements to Early Years Settings	Less than £0.100m
Reprofile	(39)	Healthy Pupils/Surrenden Pool	Less than £0.100m
Reprofile	(91)	Devolved Formula Capital 2019/20	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Variance	(1)	Capital Maintenance 2017/18	Less than £0.100m
Schools			
Reprofile	(33)	Longhill School - 100 New Computers	Less than £0.100m
Children's Safeguarding & Care			
Reprofile	(35)	Contact Supervision Centres	Less than £0.100m
Variance	(1)	Children’s Social Work Teams Pool car replacement	Less than £0.100m

Health & Adult Social Care – Capital Budget Summary

Forecast Variance Month 9 £'000	Unit	Reported Budget Month 9 £'000	New Schemes £'000	IFRS Changes £'000	Variations, Slippages & Reprofiles £'000	Reported Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Adult Social Care	178	0	0	45	223	223	0	0.0%
0	Integrated Commissioning	515	0	0	0	515	0	(515)	-100.0%
0	S75 Sussex Partnership Foundation Trust (SPFT)	0	0	0	0	0	0	0	0.0%
0	Public Health	0	0	0	0	0	0	0	0.0%
0	Total Health & Adult Social Care	693	0	0	45	738	223	(515)	-69.8%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	Amount £'000	Project	Description
Adult Social Care			
Variation	54	BCF - Telecare	Less than £0.100m
Variation	28	Knoll House Building Works	Less than £0.100m
Slippage	(37)	BCF - Adaptations for the Disabled	Less than £0.100m
Integrated Commissioning			
Variance	(515)	8-9 Kings Road Property Improvements	Initial building work revealed significant problems with the building that had not been identified in the original surveys which caused delays. Since then, Covid-19 has meant the project is no longer viable as the planned service relied on shared sleep space to be financially viable and Covid-19 has rendered all projects with shared sleep space as unsafe.

Economy, Environment & Culture (excluding Housing Revenue Account) – Capital Budget Summary

Forecast Variance Month 9 £'000	Unit	Reported Budget Month 9 £'000	New Schemes £'000	IFRS Changes £'000	Variations, Slippages & Reprofiles £'000	Reported Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Transport	21,043	0	0	(6,954)	14,089	14,086	(3)	0.0%
0	City Environmental Management	9,441	0	0	(2,699)	6,742	5,836	(906)	-13.4%
0	City Development & Regeneration	15,452	0	(275)	(8,980)	6,197	5,843	(354)	-5.7%
0	Culture, Tourism & Sport	12,742	0	0	(6,073)	6,669	6,668	(1)	0.0%
10	Property	11,622	0	0	(9,442)	2,180	2,020	(160)	-7.3%
10	Total Economy, Environment & Culture	70,300	0	(275)	(34,148)	35,877	34,453	(1,424)	-4.0%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	Amount £'000	Project	Description
Transport			
Variation	245	London Road Car Park Capital Works	Additional costs associated with the materials and supplier delivery have resulted in a budget variation to complete the project. The additional cost (borrowing) can be funded by revenue surpluses generated by the off-street car parks.
Variation	234	Transport Action Plan Covid-19 Madeira Drive Emergency Closure	Members agreed at ETS Committee to expand the brief of this project and implement larger scale schemes on Madeira Drive. Variations from the in-year Local Transport Plan budgets have supported this additional investment.
Variation	132	Controlled Parking Schemes	Additional costs associated with the costs of equipment and supplier delivery have resulted in a budget variation to complete the project. Additional borrowing can be funded by the Parking Surplus for the relevant schemes.
Variation	115	Valley Gardens - Phases 1 & 2	Section 106 funds to support the delivery of the project have been incorporated into the project resourcing.
Variation	89	Central Hove and Portslade PLP	Less than £0.100m
Variation	73	Safer Routes to Schools	Less than £0.100m
Variation	34	Bike Share\Hire Scheme (LTP)	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Variation	20	A259\West Street Shelter Hall - BS5618	Less than £0.100m
Variation	7	Purchase of Vans - Maintenance Team	Less than £0.100m
Variation	7	Intelligent Transport Systems 2 (LTP)	Less than £0.100m
Variation	7	COVID Transport Measures	Less than £0.100m
Slippage	(727)	SCAPE Carden AV & Norton Rd	Delays to the project commencing have been experienced due to design delays, ground conditions and delays resulting from the pandemic. The programme delay is expected to be recovered during 2021/22.
Slippage	(23)	Bus Shelters (non-advertising sites)	Less than £0.100m
Reprofile	(104)	Major Projects (LTP)	Supplier and contractor delays as a result of the pandemic have prevented some of the individual schemes within this programme from either commencing or completing. The schemes have recommenced and are due to complete in 2021/22.
Reprofile	(162)	Public Conveniences at Shelter Hall	Additional funding was approved in October 2020 to support improved toilet facilities at Shelter Hall. The final balance of investment is to be completed in early 2021/22.
Reprofile	(186)	Brighton Marina to River Adur Works	Environment Agency grant of £2.0m was approved in March 2021 to support the programme of works including shingle movement. Whilst some work did commence in 2020/21 the majority of this spend is programmed for 2021/22. An estimated budget was included for 2020/21 but was not fully used hence a reprofile into the following year is requested.
Reprofile	(189)	Ultra Low Emissions Taxi Infrastructure Scheme	The project has progressed well but supplier delays to the delivery of the project has resulted in a reprofile of the balance of funding into 2021/22.
Reprofile	(237)	Integrated Transport Schemes (LTP)	Supplier and contractor delays as a result of the pandemic have prevented some of the individual schemes within this programme from either commencing or completing. The schemes have recommenced and are due to complete in 2021/22.
Reprofile	(253)	Active Emergency Travel Fund - Tranche 2	Members agreed at ETS Committee to expand the brief of this project and implement larger scale schemes on Madeira Drive. Variations from the in-year Local Transport Plan budgets have supported this additional investment.

Detail Type	Amount £'000	Project	Description
Reprofile	(532)	Bridge Strengthening and Assessment	Supplier and contractor delays as a result of the pandemic have prevented some of the individual schemes within this programme from either commencing or completing. The schemes have recommenced and are due to complete in 2021/22.
Reprofile	(704)	Street Lighting Maintenance (LTP)	Supplier delays due to the pandemic have resulted in the street lighting project not proceeding as expected during the year. A budget reprofile is requested to 2021/22 which is the final year of the planned programme.
Reprofile	(1,131)	Valley Gardens Phase 3 (LTP)	Phase 3 of the project was to commence in 2020/21 but the pandemic has caused delays to a number of transport projects which has had an effect on the commencement of this project. Some costs have been incurred for design and consultancy work, the project is funded from Coast to Capital Local Growth funds and match funding through the Local Transport Plan.
Reprofile	(1,482)	DfT Challenge Fund - Western Road Renewal	£1.5m of new funding from the DfT was approved in October 2020. The scheme has been delayed in order that it could be incorporated into a wider improvement project for Western Road. This will be reprofiled into 2021/22 where the majority of the work will be undertaken.
Reprofile	(1,552)	Valley Gardens - Phases 1 & 2	The Valley Gardens project is due to complete in early 2021/22. the final balance of the payment to the contractor is due to be made at that point. Like most transport projects the pandemic has caused in-year delays which have resulted in a reprofile request for the balance of the budget.
Reprofile	(4)	A270 Wild Park Rainscape	Less than £0.100m
Reprofile	(6)	DfT eCargo Bike Grant Fund	Less than £0.100m
Reprofile	(14)	North Street Environmental Improvement	Less than £0.100m
Reprofile	(21)	School Streets	Less than £0.100m
Reprofile	(36)	Vans for Parking Infrastructure Team	Less than £0.100m
Reprofile	(40)	On Street Residential Chargepoint Scheme	Less than £0.100m
Reprofile	(50)	Eldred Avenue Sustainable Drainage System (SuDS)	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Reprofile	(50)	Electric Vehicle Fast Chargers	Less than £0.100m
Reprofile	(50)	Local Safety Schemes (LTP)	Less than £0.100m
Reprofile	(80)	Preston Park Sustainable drainage System (SuDS)	Less than £0.100m
Reprofile	(88)	Maintenance of Principal Roads	Less than £0.100m
Reprofile	(96)	Innovate UK Double Socket Chargers	Less than £0.100m
Reprofile	(100)	Exhaust Converters on Older Buses	Supplier delays due to the pandemic have resulted in the project not proceeding as expected during the year. A budget reprofile is requested to 2021/22 which is the final year of the planned programme.
Variance	(1)	Street Enhancement George Street, Hove	Less than £0.100m
Variance	(2)	Additional Bus Lane Cameras	Less than £0.100m
City Environmental Management			
Variation	91	Dyke Road - S106	Less than £0.100m
Variation	11	Purchase of Fuel Tanks	Less than £0.100m
Variation	9	Saunders Park Playground	Less than £0.100m
Variation	8	Hove Park 3G Pitch	Less than £0.100m
Variation	6	Stanmer Play Area	Less than £0.100m
Variation	5	Parks Investment Fund	Less than £0.100m
Variation	1	Fly Tipping/Littering Prevention Equipment	Less than £0.100m
Variation	(5)	Investment in City Parks	Less than £0.100m
Slippage	(127)	Citywide Street Investment	The remainder of the funding is intended to be used towards replacing on-street communal bins as part of the new bin system that is intended to improve the look of the city and increase recycling and the efficiency of the service

Detail Type	Amount £'000	Project	Description
Slippage	(132)	Investment in City Parks	Resourcing issues initially prevented the planned investment from progressing. Capital works did commence during 2020/21 for parks and tree/pruning works investment and these will now need to continue into 2021/22.
Slippage	(449)	City Env Management Services IT Systems	The investment into CEM IT systems was approved in October 2020 but was not able to proceed as quickly as hoped due to the pressures of the pandemic across staff resources and is now profiled to continue into 2021/22.
Slippage	(12)	Whitehawk Sports Pitches	Less than £0.100m
Slippage	(14)	Hove Lagoon Play Area S1	Less than £0.100m
Slippage	(23)	Preston Park Cycle Track	Less than £0.100m
Slippage	(27)	Community Composting	Less than £0.100m
Slippage	(40)	City Clean Modernisation Scheme	Less than £0.100m
Slippage	(50)	East Brighton Park Impro	Less than £0.100m
Reprofile	(59)	Downland Initiative Project	Less than £0.100m
Reprofile	(470)	Stanmer Depot Relocation	The project has been delayed pending a review of the depot and service.
Reprofile	(550)	Public Conveniences	Plans are still being developed for the proposed investment into public conveniences and these will be presented during 2021/22.
Reprofile	(671)	Stanmer Park Restoration HLF	The Stanmer Park Restoration project was delayed during the pandemic period with contractors unable to continue in some areas of the park and delays to materials. The project is due to complete and open in spring 2021.
Reprofile	(50)	Seafront Lockup Health and Safety Works	Less than £0.100m
Reprofile	(75)	Sheepcote Valley Household Waste	Less than £0.100m
Reprofile	(76)	Stanmer Pond Restoration and Access Improvement	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Variance	(878)	Procurement of Vehicles	The Fleet Management Service section has an annual budget of £2.5m to support investment in the council's vehicle fleet. The budget is met through borrowing and any annual underspends through lower levels of investment are not required.
Variance	(28)	Woodingdean Allotments	Less than £0.100m
City Development & Regeneration			
IFRS changes	(275)	Contribution to Housing JV	See paragraph 8.1 (v) of the main report for a general explanation of IFRS changes.
Variation	332	Improvements to New England House	Work has commenced on the New England House Redevelopment including design and cost consultancy works. Some improvement and health and safety costs have been incurred such as drainage works have commenced that will need to be completed as a matter of urgency. The funding is met from the New England House reserve.
Variation	20	Seafront Investment - Landscaping	Less than £0.100m
Variation	14	King Alfred Swimming Pool Redevelopment	Less than £0.100m
Variation	11	Waterfront Redevelopment	Less than £0.100m
Variation	11	Black Rock Enabling Works	Less than £0.100m
Variation	10	Madeira Terraces Regeneration	Less than £0.100m
Slippage	(372)	Circus Street Development	The final payment to South East Dance will be completed during the early part of 2021/22 when the project will be finalised.
Reprofile	(401)	Madeira Terraces Regeneration	A budget was profiled into 2020/21 from the corporate funds identified in the budget strategy to support the design and development costs. This work will continue into 2021/22 and the remaining budget reprofiled into that year.
Reprofile	(545)	Waterfront Redevelopment	A reserve is set aside to meet the ongoing costs associated with delivering the Brighton Waterfront Redevelopment. Work is ongoing through continued negotiations with stakeholders but lower than profiled project management and consultant costs were incurred in 2020/21 requiring the budget to be reprofiled to 2021/22

Detail Type	Amount £'000	Project	Description
Reprofile	(746)	Contribution to Housing Joint Venture	Both sites are progressing and have started on site however there was a change to the cash-flow following a review of the proposed timeline from the contractors and some slippage due to delays as a result of Covid-19 restrictions.
Reprofile	(1,291)	Brighton Research & Innovation Fibre Ring	Consultation is continuing and a fully worked up Business Case is still required. The project is to be met from Local Growth Funding and match funding. The full cost of the project is required to be reprofiled into 2021/22.
Reprofile	(5,928)	Black Rock Enabling Works	The Black Rock Enabling project of £12m which is financed through the Coast to Capital's Local Growth Fund was expected to commence in-year but delays to the design and procurement have resulted in the majority of the works being reprofiled into 2021/22.
Reprofile	(10)	Dukes Mound Arches	Less than £0.100m
Reprofile	(11)	Regeneration Project Support (Regen)	Less than £0.100m
Reprofile	(18)	Eastern Seafront Masterplan	Less than £0.100m
Reprofile	(24)	Falmer Released Land	Less than £0.100m
Reprofile	(33)	Full Fibre Network	Less than £0.100m
Variance	(137)	Preston Barracks Central Research Lab	The project has completed. Contingency balances held will not be required to be drawn down.
Variance	(217)	Seafront Investment - Landscaping	Landscaping works at the i360 site have completed and contingencies from borrowing will not be drawn down.
Culture, Tourism & Sport			
Variation	42	Saltdean Lido Restoration	Less than £0.100m
Slippage	(40)	West Hove Seafront	Less than £0.100m
Reprofile	(188)	Stanley Deason 3G Pitch Replacement	The 3G pitch replacement was approved at February 2021 committee and a delays to the estate of the project have required a reprofile of this budget into 2021/22.
Reprofile	(700)	Prince Regent - Replace Mechanical Equip	Closure of the Prince Regent centre during the year as a result of the pandemic has meant a revised timetable for the works and a reprofile of the full budget into 2021/22 is required.
Reprofile	(1,260)	Brighton Museum & Art Gallery Roof Works	Approval for the investment of £1.260m to carry out works to the roof of the Brighton Museum and Art Gallery work as part of the transfer to Trust has not progressed during the year following delays to the main contractors project and is expected to commence during 2021/22.

Detail Type	Amount £'000	Project	Description
Reprofile	(3,699)	Royal Pavilion Estate (Phase 1)	Continuing impact on project progress from Main Contractor going into administration with additional delays due to Covid-19 with furloughing of subcontractors, and interruptions to supply of materials and deliveries. The project is due to complete by the end of 2021.
Reprofile	(15)	Saltdean Lido Restoration	Less than £0.100m
Reprofile	(20)	Saltdean Lido replacement library	Less than £0.100m
Reprofile	(30)	Hove Lagoon Skatepark Improvement Project	Less than £0.100m
Reprofile	(30)	Withdean Sports Soft Play Development	Less than £0.100m
Reprofile	(34)	Portslade 3G Pitch	Less than £0.100m
Reprofile	(46)	Brighton Centre Boiler Replacement	Less than £0.100m
Reprofile	(52)	Prince Regent - Glazing Works	Less than £0.100m
Variance	(1)	Mikvah to Studio Conversion P.R. Swimming Complex	Less than £0.100m
Property			
Variation	102	Workstyles 4 Moulsecoomb Hub & Housing	Costs have been incurred during 2020/21 to support the design works, cost consultancy and project resourcing of the scheme. A variation from the Workstyles Phase 4 budget met through the Asset Management Fund annual contribution is required to meet these costs.
Variation	81	Park Residential Property Repairs	Less than £0.100m
Variation	41	New England House Development Landlord Works	Less than £0.100m
Variation	36	Passenger Lift H&S Works	Less than £0.100m
Variation	28	Pavilion Building Structural Repairs	Less than £0.100m
Variation	25	Hollingdean Depot	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Variation	24	Misc Internal Refurbishments	Less than £0.100m
Variation	16	Brighton Centre Roofing Works	Less than £0.100m
Variation	16	Fire Safety Improvements	Less than £0.100m
Variation	11	Commercial Property Portfolio Repairs	Less than £0.100m
Variation	6	Corporate Fire Risk Assessments	Less than £0.100m
Variation	6	Sewerage pipes land at Waterhall	Less than £0.100m
Variation	5	Hove Library Phase 1 Roof & Ext Redecoration	Less than £0.100m
Variation	4	Brighton Town Hall Flat Roof	Less than £0.100m
Variation	4	Workstyles 4 Desk Upgrade & Windows 10	Less than £0.100m
Variation	3	Royal Pav Porte Corchaire Repair	Less than £0.100m
Variation	3	Various leisure building works	Less than £0.100m
Variation	2	Standean Livestock Building	Less than £0.100m
Variation	2	Legionella Works	Less than £0.100m
Variation	2	Workstyles 4 Wellington House	Less than £0.100m
Variation	2	Hove Town Hall - South End Office Refurb	Less than £0.100m
Variation	2	King Alfred Cathodic Protection System	Less than £0.100m
Variation	1	HTH - Adaptations to Ventilation	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Variation	(1)	Purchase of Lyndean House	Less than £0.100m
Variation	(1)	Corp. Elec. meeting room booking SW	Less than £0.100m
Variation	(2)	Nevill Pavilion Maintenance Works	Less than £0.100m
Variation	(3)	Mechanical Boiler Replacements	Less than £0.100m
Variation	(8)	BTH - PMB Contribution to Refurbishment	Less than £0.100m
Variation	(9)	Barts House Mechanical Ventilation - AMF	Less than £0.100m
Variation	(23)	Statutory DDA Access Works Fund	Less than £0.100m
Variation	(23)	Brighton Centre Lift Refurbishment	Less than £0.100m
Variation	(31)	Madeira Terrace Structural Repair & Resurface	Less than £0.100m
Variation	(40)	External Improvement Works	Less than £0.100m
Variation	(48)	Barts Cladding & Window Replace Phase 1	Less than £0.100m
Variation	(81)	Workstyles Phase 4	Less than £0.100m
Slippage	(103)	Stanmer Park Agricultural Buildings	The Stanmer Park Agricultural Buildings programme is paused pending a review of the disposals strategy that supports the project resourcing.
Slippage	(105)	Corporate Building Security	The budget supports a review of security measures at corporate buildings. This has been delayed following the access capacity to corporate buildings during the pandemic period. A budget reprofile is required into 2021/22 to enable completion of this project
Slippage	(332)	Purchase of Phoenix House	The funds are works to rectify 'Regent Street Disease' met through a deduction made on the sale price for the remedial works required. The works will be carried out as part of a wider project to the building. However, some works to the rear elevation and some render

Detail Type	Amount £'000	Project	Description
			work will be undertaken in 2021/22. The remaining works will be completed at a later stage when the assessment is completed.
Slippage	(4)	Barts House Mechanical Ventilation - AMF	Less than £0.100m
Slippage	(20)	Provision of Drinking Water Fountains	Less than £0.100m
Slippage	(20)	Brighton Centre Lift Refurbishment	Less than £0.100m
Slippage	(27)	Hollingdean Depot Workstyles 4	Less than £0.100m
Reprofile	(122)	Royal Pavilion External Redecoration	Priority work continued at the Pavilion during the year which resulted in delays to the external redecorations. This will continue in early 2021/22.
Reprofile	(253)	Portslade Sixth Form Conversion	A budget for the commencement of the design and costings of the Portslade Sixth Form associated with the Moulsecoomb Housing and Hub scheme was approved in February 2021. The remainder of this budget will be reprofiled to 2021/22 to allow completion of this exercise.
Reprofile	(455)	Solar Panels Corporate Buildings	The pandemic has resulted in delays to the programme mainly around having access to corporate buildings.
Reprofile	(8,082)	Moulescoomb Way/Eastergate Road Purchase	The acquisition has been delayed pending confirmation from the current owners/future tenant on the refurbishment of the building which is now resolved and the acquisition will proceed during 2021/22
Reprofile	(2)	Workstyles Phase 4	Less than £0.100m
Reprofile	(71)	Commercial Property Portfolio Repairs	Less than £0.100m
Variance	(160)	B&H Estates Conservation Trust Loan	A loan was requested by the Trust in response to the council's request for them to surrender part of their demise to enable houses to be built. Their lease only had a matter of years remaining and the impact of the pandemic means that the lease will have expired before works could commence. The surrender of the lease is therefore neither viable for the council and neither does it provide a sufficient term for the Trust to repay the loan

Housing, Neighbourhoods & Communities (excluding Housing Revenue Account) – Capital Budget Summary

Forecast Variance Month 9 £'000	Unit	Reported Budget Month 9 £'000	New Schemes £'000	IFRS Changes £'000	Variations, Slippages & Reprofiles £'000	Reported Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Housing General Fund	2,310	0	0	(183)	2,127	2,013	(114)	-5.4%
0	Libraries	287	0	0	(250)	37	0	(37)	-100.0%
0	Communities, Equalities & Third Sector	0	0	0	0	0	0	0	0.0%
0	Safer Communities	0	0	0	0	0	0	0	0.0%
0	Total Housing, Neighbourhoods & Communities	2,597	0	0	(433)	2,164	2,013	(151)	-7.0%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	Amount £'000	Project	Description
Housing General Fund			
Reprofile	(183)	BCF - Disabled Facilities Grants	A number of cases have been delayed due to Covid-19, either client shielding/self-isolating and deferring works/completion; this is in addition to some OT & OTA assessment visits and initial technical surveys being delayed due to restrictions on visiting clients clinically vulnerable or extremely clinically vulnerable at home.
Variance	(114)	LDV - On-Going Costs	This capital scheme relates to capital works on Brighton & Hove Community Seaside Homes' properties, subsequent to development works and under the management of Temporary Accommodation. This scheme is funded by a management fee paid to the council from Seaside Homes and managed within the funding limits. As reported against HRA capital, planned programmes for this year have been significantly impacted by Covid-19. In addition, programmes were forecast to begin later in the year as a result of significant procurement activity on both planned works contract and major works contracts. Procurement processes for planned term contracts were paused in March 2020 as a result of the pandemic and restarted in June 2020. The procurement progressed well since restarting and completed in November 2020.

Detail Type	Amount £'000	Project	Description
Libraries			
Reprofile	(250)	Libraries Self-Service Renewal	The self-service kiosk project has been delayed by Covid-19 as libraries have been severely impacted by government restrictions. Therefore, the procurement is now not expected to take place until late 2021. The budget will be reprofiled into 2021/22.
Variance	(37)	Hove Library Redevelopment	Less than £0.100m

Housing Revenue Account (HRA) – Capital Budget Summary

Forecast Variance Month 9 £'000	Unit	Reported Budget Month 9 £'000	New Schemes £'000	IFRS Changes £'000	Variations, Slippages & Reprofiles £'000	Reported Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
775	City Development & Regeneration	7,698	0	0	(1,993)	5,705	6,481	776	13.6%
(5,903)	Housing Revenue Account	43,524	0	(600)	(5,685)	37,239	31,688	(5,551)	-14.9%
(5,128)	Total Housing Revenue Account	51,222	0	(600)	(7,678)	42,944	38,169	(4,775)	-11.1%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	Amount £'000	Project	Description
City Development & Regeneration			
Reprofile	381	Victoria Road	A revised cashflow for the delivery of the sports pavilion and housing has been received, which shows an increase in expenditure for 2020/21, relating to the Housing element of the project. The new housing development will start on site in 2021/22.
Reprofile	(2,374)	Moulsecoomb Hub - Housing	The appropriation under phase 1 of the project from the General Fund to the HRA is now due to take place during 2021/22. The remaining costs committed for the housing scheme will be incurred during 2021/22.
Variance	339	Buckley Close	Construction of these homes completed in May 2020; the final accounts were settled during 2020/21 following the end of the defects period. These costs were expected and form part of the overall scheme costs reported to date. The variance relates to a number of unforeseen issues identified as the project progressed such as significant works to the retaining structure behind the new homes as reported to Housing Supply Member Board.
Variance	292	Selsfield Drive	The variance relates to an increase in the Agreed Maximum Price for the scheme as reported to Housing Supply Member Board.
Variance	101	Redevelopment of HRA Vacant Garage Sites	The final accounts for the construction of 12 homes at Kensington Street during 2020/21. This was delayed due to Covid-19 related issues. These costs were expected and form part of the overall scheme costs reported to date. This was a complex project with a lot of issues that caused an increase in scheme costs due to the constrained nature of the sites.
Variance	68	Feasibility and Design - Housing Invest	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Variance	1	Wellsbourne Development	Less than £0.100m
Variance	(26)	Whitehawk (Findon Road) Development	Less than £0.100m
Housing Revenue Account			
IFRS change	(275)	Gladstone Court	See paragraph 8.1 (v) of the main report for a general explanation of IFRS changes. In this case the adjustment is in relation to the appropriation of land at Gladstone Court, Hartington Road from the General Fund to the HRA as approved at the 23rd January 2020 Policy & Resources Committee.
IFRS change	(325)	Home Purchase Scheme	See paragraph 8.1 (v) of the main report for a general explanation of IFRS changes. In this case the adjustment is in relation to the appropriation of land at 122 Graham Avenue, Mile Oak from the General Fund to the HRA as approved at the 9th July 2020 Policy & Resources Committee.
Variation	442	Oxford Street	Delays due to multiple factors linked to the Pandemic, have led to an extended delivery programme. There have also been delays due to the sequence of works and the need to further coordinate specialist work in connection to an increased scope relating to fire safety and compliance.
Variation	(442)	Converting Spaces in Existing Buildings	Construction projects have suffered delays due to multiple factors linked to the Pandemic, particularly impacting supply chains, utilities connections resulting in an underspend across the programme.
Slippage	(195)	Aerial Systems Upgrade	Revised timeline due to in-year budget approval being required means the programme will now be delivered by June 2021.
Reprofile	(102)	Heating Water Tanks & Boiler Systems	The specification for the replacement of this system is being reviewed due to an increase in the cost for these works. Housing Officers are working with Property & Design and have appointed consultants to provide further advice on appropriate methods of ventilation and heating. This project is now at the advice stage and further financial projections will be reported through monthly finance monitoring processes.
Reprofile	(105)	Home Energy Efficiency & Renewables	Revised timelines in progressing the solar PV install at the Housing Centre due to a re-scheduling of the programme of installs and delays in obtaining landlord permissions.
Reprofile	(106)	New Housing Management ICT system	The system implementation has been delayed due to Covid-19. The new system is expected to go live in the first quarter of 2021/22 with on-going work expected in the year

Detail Type	Amount £'000	Project	Description
Reprofile	(150)	Environmental Improvements	The Covid-19 pandemic and associated lockdowns reduced the volume of jobs that could be safely completed and impacted procurement of new contractors which reduced the volume of jobs that could be safely delivered this year.
Reprofile	(170)	R&M Fleet Replacement	The reprofile is due to the fleet procurement process not being able to be completed in the timescales predicted.
Reprofile	(220)	Gladstone Court	The majority of refurbishment works were completed during 2020/21 with the properties now being let. The second phase of works required are due to be completed during 2021/22.
Reprofile	(266)	Oxford Street	Delays due to multiple factors linked to the Pandemic, have led to an extended delivery programme. There have also been delays due to the sequence of works and the need to further coordinate specialist work in connection to an increased scope relating to fire safety and compliance.
Reprofile	(1,655)	Next Steps Accommodation Program	The remaining six properties are due to be purchased during the first quarter of 2021/22 as well as the associated refurbishment works for all properties purchased under this programme.
Reprofile	(2,646)	Home Purchase Scheme	This reprofile is required as the number of properties purchased under the Home Purchase Policy in 2020/21 was lower than anticipated. This was in part due to the impact of Covid-19 and also due to the focus from autumn 2020 on securing new homes for the Next Steps Accommodation Programme housing former rough sleepers. This reprofile will be used to purchase additional properties in 2021/22.
Reprofile	(34)	ICT Fund	Less than £0.100m
Reprofile	(37)	Car Parks & Garages	Less than £0.100m
Variance	154	Minor Capital Works	The overspend is attributed to the urgent works that were required to be carried out before the planned works were mobilised and can be mitigated by underspends elsewhere.
Variance	102	Environmental Improvements	The Covid-19 pandemic and associated lockdowns reduced the volume of jobs that could be safely completed and impacted procurement of new contractors which reduced the volume of jobs that could be safely delivered this year.
Variance	(100)	Doors	As reported throughout the year, the planned programmes for this year have been significantly impacted by Covid-19, in addition programmes were forecast to begin later in the year as a result of significant procurement activity on both planned works contract and major works contracts. Procurement processes for planned term contracts were paused in March 2020 as a result of the pandemic and restarted in June 2020. The procurement progressed well since restarting and completed in November 2020. Progress has been

Detail Type	Amount £'000	Project	Description
			closely monitored and the council has reviewed budget allocations for 2021/22 as a result of the delays to the programme.
Variance	(111)	Converting Spaces in Existing Buildings	Construction projects have suffered delays due to multiple factors linked to the pandemic, particularly impacting supply chains, utilities connections resulting in an underspend across the programme.
Variance	(130)	Main Entrance Doors	Programme spend is less than budgeted due to the Covid-19 restrictions that have been in place. This has meant that planned work has not been undertaken over the majority of the financial year.
Variance	(131)	Home Energy Efficiency & Renewables	Revised timelines in progressing the solar PV installation at the Housing Centre due to a re-scheduling of the programme of installs and delays in obtaining landlord permissions.
Variance	(137)	Water Tanks	As Main Entrance Doors above
Variance	(152)	Structural Repairs	As Main Entrance Doors above
Variance	(154)	Ventilation	As Main Entrance Doors above
Variance	(175)	Door Entry Systems & CCTV	Programme spend is less than budgeted, due to the Covid-19 restrictions that have been in place. This has meant that planned work has not been undertaken over the majority of the financial year.
Variance	(183)	Communal Fire Alarms	As Main Entrance Doors above
Variance	(218)	Condensation & Damp Works	As Main Entrance Doors above
Variance	(260)	Domestic Rewire	As Main Entrance Doors above
Variance	(262)	Communal Boilers	A planned communal boiler upgrade project is being reviewed to assess the options for delivery of this project following feedback from stakeholders.
Variance	(309)	Lifts	As Main Entrance Doors above
Variance	(345)	Kitchens	As Main Entrance Doors above
Variance	(351)	Windows	As Main Entrance Doors above
Variance	(396)	Roofing	As reported throughout the year, the planned programmes for this year have been significantly impacted by Covid-19, in addition programmes were forecast to begin later in the year as a result of significant procurement activity on both planned works contract and major works contracts. Procurement processes for planned term contracts were paused in March 2020 as a result of the pandemic and restarted in June 2020. The procurement progressed well since restarting and completed in November 2020. Progress has been closely monitored and the council has reviewed budget allocations for 2021/22 as a result of the delays to the programme.

Detail Type	Amount £'000	Project	Description
Variance	(476)	External Decorations & Repairs	As Main Entrance Doors above
Variance	(515)	Fire Safety	As Main Entrance Doors above
Variance	(1,195)	Next Steps Accommodation Program	Grant funding was provided to support the purchase of 30 x 1 bedroom properties; 24 properties were purchased before 31st March 2021. The cost of these purchases was lower than previously estimated due to a lower purchase prices and relief provided on the payment of Stamp Duty Land Tax.
Variance	50	Car Parks & Garages	Less than £0.100m
Variance	39	BHCC Projects	Less than £0.100m
Variance	21	Tilbury Place	Less than £0.100m
Variance	11	Feasibility and Design - P&I	Less than £0.100m
Variance	9	Solar PV City-Wide	Less than £0.100m
Variance	9	Capital Works Assessment	Less than £0.100m
Variance	4	Asbestos	Less than £0.100m
Variance	(1)	New Housing Management ICT system	Less than £0.100m
Variance	(2)	Sheltered Services System	Less than £0.100m
Variance	(5)	Domestic Boiler and systems	Less than £0.100m
Variance	(23)	HRA Adaptations	Less than £0.100m
Variance	(29)	Fencing	Less than £0.100m
Variance	(34)	City-Wide Loft Conv & Ext Project	Less than £0.100m
Variance	(52)	Block Conversions	Less than £0.100m
Variance	(57)	Empty Properties	Less than £0.100m
Variance	(67)	Communal Rewire	Less than £0.100m
Variance	(75)	Bathrooms	Less than £0.100m

Finance & Resources - Capital Budget Summary

Forecast Variance Month 9 £'000	Unit	Reported Budget Month 9 £'000	New Schemes £'000	IFRS Changes £'000	Variations, Slippages & Reprofiles £'000	Reported Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Finance	0	0	0	0	0	0	0	0.0%
0	HR & Organisational Development	0	0	0	0	0	0	0	0.0%
(222)	IT & D	3,395	0	0	(299)	3,096	2,874	(222)	-7.2%
0	Procurement	0	0	0	0	0	0	0	0.0%
0	Business Operations	0	0	0	0	0	0	0	0.0%
0	Revenues & Benefits	0	0	0	0	0	0	0	0.0%
(222)	Total Finance & Resources	3,395	0	0	(299)	3,096	2,874	(222)	-7.2%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	Amount £'000	Project	Description
IT&D			
Variation	176	Windows 10 & Desktop\Laptop Renewals	Variation of £0.176m from the Digital Organisation Programme 2020/21 is required to support the spend within IT&D capital investment strategy.
Variation	(176)	Digital Organisation Programme 2020/21	A variation of £0.176m to support the spend on laptop and equipment and Windows 10 rollout as part of the IT&D modernisation is required. The rollout of the programme has enabled homeworking to the workforce. This can be mitigated within the overall programme.
Slippage	(116)	Digital Organisation Programme 2020/21	The remaining costs committed to the programme will be reprofiled into 2021/22.
Slippage	(127)	Carefirst replacement mobile devices	The Carefirst Replacement programme forms part of the modernisation programme and will be delivered over a number of years. The budget is required to be reprofiled into 2021/22 to continue the delivery of this programme.
Slippage	(10)	Wi-Fi Implementation	Less than £0.100m
Slippage	(46)	Desktop & Laptop Replacement Programme	Less than £0.100m

Detail Type	Amount £'000	Project	Description
Variance	(222)	General Data Protection Regulation	The work association with the switch to comply with the revised General Data Protection Regulation has been completed.

Strategy Governance & Law - Capital Budget Summary

Forecast Variance Month 9 £'000	Unit	Reported Budget Month 9 £'000	New Schemes £'000	IFRS Changes £'000	Variations, Slippages & Reprofiles £'000	Reported Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Corporate Policy	0	0	0	0	0	0	0	0.0%
0	Legal Services	0	0	0	0	0	0	0	0.0%
0	Democratic & Civic Office Services	0	0	0	0	0	0	0	0.0%
0	Life Events	38	0	0	(38)	0	0	0	0.0%
0	Performance, Improvement & Programmes	1,309	0	0	(562)	747	747	0	0.0%
0	Communications	0	0	0	0	0	0	0	0.0%
0	Total Strategy, Governance & Law	1,347	0	0	(600)	747	747	0	0.0%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	Amount £'000	Project	Description
Life Events			
Slippage	(38)	Replacement CTS Ambulance	Less than £0.100m
Performance, Improvement & Programmes			
Slippage	(562)	Carefirst Replacement Project	The Carefirst Replacement programme sits with the Performance, Improvement & Programmes team as a corporate project and forms part of the council's Modernisation Programme to be delivered over a number of years. A significant part of the budget is required to be reprofiled into 2021/22 to continue the delivery of this programme.

Note: There are currently no capital budgets to report on for Corporate Budgets.

Appendix 8 – Schedule of Reserves

	Opening Balance at 1st April 2020 £'000	Movement in Year £'000	Closing Balance as at 31st March 2021 £'000
General Fund Reserves			
General Fund Working Balance	9,000	0	9,000
General Fund Balances (year-end balances pending allocation)	-10	10,098	10,088
Capital Reserves (GF)	435	82	517
Library PFI Reserve	884	5	889
Schools PFI Project Reserve	1,036	0	1,036
Waste PFI Project Reserve	2,925	525	3,450
Finance Costs Reserve	290	-290	0
Section 106 Receipts (Revenue)	633	-32	601
Section 106 Interest	566	-33	533
Brighton Centre Redevelopment Reserve	2,872	-50	2,822
Customer Access & Accommodation Strategies & The Link Network Upgrade Reserve	129	-45	84
Museum Objects Acquisitions Reserve	65	-65	0
Royal Pavilion Fund	112	-112	0
Jack Thompson - Hove Museum	186	-186	0
Concessionary Bus Passes	74	0	74
One Planet Living Implementation	14	0	14
ICT Investment Reserve	199	0	199
Environmental Enforcement Reserve	70	-10	60
Winter Maintenance	651	-228	423
Outdoor Events	76	45	121
Dome Planned Maintenance	206	-38	168
Hove Park 3G Pitch Renewal	15	0	15
James Green Foundation	199	-199	0
Surface Water Management Reserve	548	-155	393
BikeShare Scheme Reinvestment Reserve	135	0	135
Community Equipment Reserve	33	0	33
City Regeneration Fund (Renamed)	31	0	31
Welfare and Local Government Funding Reform Reserve	29	0	29
Sports Facilities Reserve	338	32	370
Licensing - other reserve	44	0	44
Taxi Licensing	85	23	108
East Brighton Parking Surplus	10	4	14
Preston Park Parking Surplus	213	54	267
NEH Refurbishment Reserve	150	-150	0
Road Works Permit Scheme	33	0	33
Overdown Rise Footpath Maintenance	0	20	20
i360 Reserve	6,414	1,393	7,807
Departmental Carry Forward	1,283	830	2,113
HMO Licensing Fees Reserve	450	-66	384
HMO Additional Licensing Fees	383	-111	272
Phoenix House Sinking Fund	60	0	60

Appendix 8 – Schedule of Reserves

	Opening Balance at 1st April 2020 £'000	Movement in Year £'000	Closing Balance as at 31st March 2021 £'000
Damage Deposit Guarantee Scheme	298	-98	200
Cemeteries Maintenance Reserve	54	1	55
Private Rented Sector Rent Deposit Scheme	41	0	41
Travellers Site Capital Reserve	79	0	79
Revenue Grants Reserve	8,805	-6,273	2,532
Revenue Grants Reserve - DSG	703	43	746
Seaside Homes Reserve	55	-55	0
City Deal New England House Dev Reserve	4,900	-332	4,568
Schools LMS Balances	4,347	2,564	6,911
Portslade Adult Learning	20	0	20
Investment Properties (Dilapidations)	239	0	239
Restructure Redundancy Reserve	0	85	85
Insurance Reserve General	5,372	-119	5,253
Total General Fund Reserves	**55,779**	**7,157**	**62,936**
Collection Fund S31 adjustment reserve	311	37,367	37,678
Total General Fund Reserves incl. Collection Fund S31 Adj.	**56,090**	**44,524**	**100,614**

Capital Receipts & Unapplied Contributions			
Capital Receipts Reserve	32,149	-3,263	28,886
Community Infrastructure Levy (CIL) - Neighbourhood Reserve	0	13	13
CIL - Strategic Reserve	0	70	70
Government Grants Unapplied	4,475	-2,052	2,423
Other External Contributions Unapplied	1,914	-85	1,829
Developer Contributions Unapplied (S106 Capital)	719	-297	422
Total Capital Receipts & Unapplied Contributions	**39,257**	**-5,614**	**33,643**

Total General Fund incl. Capital Receipts & Contributions	**95,347**	**38,910**	**134,257**

HRA Reserves			
HRA Working Balance	7,657	410	8,067
Capital Reserves (HRA)	0	2,900	2,900
Estates Development Budget Reserves	240	0	240
Renewable Energy Reserve	175	-24	151
Setup Mobilisation Housing Repairs Cont. Reserve	416	0	416
Rent Support Reserve	801	26	827
Responsive Repairs Catch Up Works	0	440	440
Restructure Redundancy Reserve	388	-388	0
Toral HRA Reserves	**9,677**	**3,364**	**13,041**
Total Reserves	**105,024**	**42,274**	**147,298**

NOTICE OF MOTION

INDEPENDENT MEMBERS' MOTION

CITYWIDE ROLLOUT OF REAL-TIME AIR QUALITY MONITORING SYSTEM

This Council notes that :

- The city needs publicly available real-time data about pan-city air pollution (NO2 and PM) to enable:
  - Officers to assess how interventions, building configuration changes or traffic flow changes affect air quality
  - Residents and visitors vulnerable to air pollution to plan their days when pollution levels are high.

This Council also agrees to request that:

- The Environment, Transport and Sustainability Committee explores investing in a city-wide real-time AQ monitoring system with information available in real-time via a website for residents, councillors and officers.
- The Tourism, Equalities, Communities & Culture Committee considers amending planning policy to ensure that all residential and business developments that come to planning committee install and maintain an AQ monitor with data available to BHCC

Proposed by: Cllr Fishleigh Seconded by: Cllr Janio

Supporting Information:

- Air quality is an issue of concern for residents and the council, and the health consequences of poor air quality are well documented.
- The City has 56 NO2 diffusion tubes in 54 locations across the city which give yearly and monthly averages.
- The City has 4 NO2 & PM monitoring stations providing data in 15-minute averages.
- The pioneering work of Breathe London, with its public website that displays air quality information in real time https://www.breathelondon.org/
- A new project which will *"provide residents in Neath Port Talbot, Wales with accurate 'real-time air pollution measurements…to achieve a better understanding of air quality on a local level which will allow the council to effectively identify pollution hotspots and then target interventions".*

https://airqualitynews.com/2021/06/21/new-project-will-provide-residents-with-real-time-air-pollution-data/

Council	Agenda Item 32
15 July 2021	Brighton & Hove City Council

NOTICE OF MOTION

GREEN GROUP

LOCAL GOVERNMENT AND SCHOOLS PAY

This council notes

- Local government has endured central government funding cuts of more than 50% since 2010; meaning between 2010 and 2020, councils lost 60p out of every £1 receive from central government
- The efforts of public sector workers including council workers against the Covid-19 pandemic; and the additional expected costs and expenditure as councils aim to fully support their communities through the health crisis and beyond
- The efforts of local government workers to keep communities safe during the pandemic despite risk to themselves; e.g in public health, in cleaning, waste and recycling; to ensure children are educated and to look after older and vulnerable people
- That recent research shows that if the Government were to fully fund the unions' 2021 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits, and increased consumer spending in the local economy.

This council further:

- Agrees to support the campaign by Trade Unions for a proper, real-terms pay increase for local government; calling on government to fully fund this increase, without adding extra burden to local authority costs;
- Notes the importance of continued work to support our local staff, in line with work already underway such as the Fair and Inclusive Action Plan, People Promise and additional leave flexibility.

Proposed by: Cllr Mac Cafferty Seconded by: Cllr Shanks

Notes:

[1] Since 2010, the local government workforce has endured years of pay restraint with the majority of pay points losing at least 23 per cent of their value since 2009/10.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, 900,000 jobs have been lost in local government since June 2010 – a reduction of more than 30 per cent. Local government has arguably been hit by more severe job losses than any other part of the public sector. The funding gap caused by Covid-19 will make local government employment even more precarious.

There has been a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.

Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Council	Agenda Item 33
15 July 2021	Brighton & Hove City Council

NOTICE OF MOTION

GREEN GROUP

SUPPORTING UNACCOMPANIED ASYLUM-SEEKING CHILDREN

This council notes

- The recent announcement of Kent County Council that they are no longer able to support any more unaccompanied asylum-seeking children (UASC)
- Confirmation that Government will not be pursuing a mandatory rota for the National Transfer Scheme (NTS) but will offer a small funding uplift
- The Dublin III reunification programme has ended following Brexit
- The council's previous commitment to take at least 10 UASCs a year through the NTS

This council further:

- Notes that last year the council took more than its commitment through the NTS
- Notes that gaps in funding from Government to support UASCs means a cost to the general fund
- Gives thanks to the council's UASC social work pod, foster carers with placements of UASCs and all others who provide support to children and young people who arrive in the city

This council therefore requests:

- The chief executive write to the Home Secretary to express the council's:
  - dismay at the Government's refusal to introduce a mandatory rota for the NTS
  - concern that there is no replacement for Dublin III
  - disappointment that the Government funding uplift will not provide sufficient support to ensure that more councils take UASCs through the NTS
  - concern that in the meantime, UASCs are waiting at the border for placements that councils aren't providing.

Proposed by: Cllr Clare Seconded by: Cllr Ebel

Notes:

1. In 2020 = Brighton and Hove had 33 new arrivals in total. This breaks down to 16 x NTS transfers from Kent and Portsmouth, 15 spontaneous arrivals and 2 x Dublin III

NOTICE OF MOTION

CONSERVATIVE

THE QUEEN'S PLATINUM JUBILEE

This Council:

1. Wholeheartedly backs calls to light the city's historic beacons and equivalent structures on 2nd June 2022 in celebration of Queen Elizabeth II's Platinum Jubilee;
2. Notes that funds are in place to take forward proposals from the Wish Ward Councillors to introduce attractive low-voltage lighting around Hove Beacon on Western Esplanade;
3. Expresses its wish that the new lighting is operational in advance of the Jubilee celebrations; and
4. Requests the Tourism, Equalities, Communities & Culture Committee to receive an officer report on 16th September to set out options for the above.

Proposed by: Cllr Nemeth Seconded by: Cllr Simson

Supporting Information:

NOTICE OF MOTION

CONSERVATIVE

URGENT REVIEW OF ALLOTMENTS

This Council resolves to:

1. Note concerns that have been raised by Site Representatives and Allotment Holders with regard to (i) the administration of the Council's Allotment Service and (ii) deviation away from the aims of the Brighton & Hove Allotment Strategy 2014-2024;
2. Request the Environment, Transport & Sustainability Committee to call for an officer report on options for improvement which provides the following:
   - (i) Breakdown by site of the different sizes of plot (i.e. full/half/third);
   - (ii) Breakdown by site and plot type of rent that was paid during the last accounting period;
   - (iii) Breakdown by site and plot type of plots that are currently unlettable;
   - (iv) Breakdown by year of the number of people who have joined the allotment waiting list and paid the £17 charge, and how the funds have subsequently been spent;
   - (v) Breakdown of the resources that are allocated to the Allotment Service;
   - (vi) Breakdown of annual expenditure by site;
   - (vii) Description of the role of Allotments Officer;
   - (viii) Detail on which recommendations in the Allotment Strategy have been implemented and which remaining outstanding;
   - (ix) Estimate by site of annual cost of water leaks;
   - (x) Detail on when and why regular joint liaison meetings between Allotments Service staff, BHAF and other key stakeholders stopped; and
   - (xi) Total amount that has been raised by voluntary donations from plot holders.

Proposed by: Cllr Nemeth Seconded by: Cllr Simson

Supporting Information:

NOTICE OF MOTION

LABOUR GROUP

CROSS CHANNEL LINK

This Council:

1. Notes that at various times there has been a cross channel ferry service to France from the City, most recently in 1992 from the Marina;

2. That such a service based not on car use, but bike and foot/wheelchair passengers have the potential to increase tourism, create employment and be very popular with residents;

Council therefore requests the Tourism, Equalities, Communities & Culture Committee to call for an officer report to explore options for the re-establishment of a cross channel passenger service from the Marina including:

a. Whether such a service could be publicly run and operated or run as a cooperative or joint venture
b. Revenue raising potential of such a service
c. Transport links to the railway station(s) and bus routes

Proposed by: Cllr Childs Seconded by: Cllr Evans

Supporting Information: