

Policy & Resources Committee

Date: **27 January 2022**

Time: **4.00pm**

Venue: **Hove Town Hall - Council Chamber**

Members: **Councillors:** Mac Cafferty (Chair), Druitt (Joint Deputy Chair), Gibson (Joint Deputy Chair), Allcock (Joint Opposition Spokesperson), Appich (Joint Opposition Spokesperson), Bell (Group Spokesperson), Clare, Evans, Miller and Yates

Invitee: Dr Anusree Biswas Sasidharan

Contact: **Lisa Johnson**
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Date of Publication - Wednesday, 19 January 2022

AGENDA

Part One

Page

PROCEDURAL MATTERS

85 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) 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 committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

86 MINUTES

7 - 22

To consider the minutes of the meeting held on 2 December 2021 (copy attached)

87 CHAIR'S COMMUNICATIONS

88 CALL OVER

- (a) Items (91 –99) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

GENERAL MATTERS

89 PUBLIC INVOLVEMENT

23 - 28

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented by members of the public to the full Council or as notified for presentation at the meeting by the due date of 13 January 2022 (10 working days);
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 21 January 2022;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 21 January 2022.

Referred from the Public Engagement Meeting held on 16 December 2021:

- (i) Council Finances – Ms L King

90 MEMBER INVOLVEMENT

29 - 34

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions notified by the due date (10 working days);
- (b) **Written Questions:** to consider any written questions;
 - (i) Councillor Fishleigh – Gasworks
 - (ii) Councillor Fishleigh – Black Rock
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion:

- (i) Automated External Defibrillators in Outdoor Spaces

Passported from Cancelled Council Meeting due to be held on 16.12.21:

- (iii) ~~Residents/Visitors 'Bus Gate' Fines~~
Restore Council Services

A CITY WORKING FOR ALL

- 91 COUNCIL TAX BASE 2022/23 35 - 46**
Report of the Chief Finance Officer (copy attached)
Contact Officer: James Hengeveld Tel: 01273 291242
Ward Affected: All Wards
- 92 BUSINESS RATES RETENTION FORECAST 2022/23 47 - 52**
Report of the Chief Finance Officer (copy attached)
Contact Officer: James Hengeveld Tel: 01273 291242
Ward Affected: All Wards
- 93 ANNUAL WAIVER REPORT 53 - 64**
Report of the Chief Finance Officer (copy attached)
Contact Officer: Cliff Youngman Tel: 01273 291408
Ward Affected: All Wards
- 94 PROCUREMENT OF ARBORICULTURAL SERVICES 65 - 72**
Report of the Executive Director Economy Environment & Culture (copy attached)
Contact Officer: Peter Small
Ward Affected: All Wards
- 95 LIFE EVENTS FEES AND CHARGES REVIEW FOR REGISTRATION SERVICES AND LOCAL LAND CHARGES 2022/23 73 - 92**
Report of the Executive Lead Officer for Governance, People & Resources (copy attached)
Contact Officer: Paul Holloway Tel: 01273 292005
Ward Affected: All Wards
- 96 REFUSE VEHICLE PROCUREMENT - 5 YEAR LEASING ARRANGEMENT 93 - 98**
Report of the Executive Director Economy Environment & Culture (copy attached)
Contact Officer: Ian Greene Tel: 01273 294707
Ward Affected: All Wards
- 97 ARRANGEMENTS FOR COUNCIL AND MEETINGS 99 - 106**
Report of the Executive Director Governance, People and Resources (copy attached)
Contact Officer: Abraham Ghebre-Ghiorghis Tel: 01273 291500
Ward Affected: All Wards

98 OFFICER DELEGATIONS

107 - 110

Report of the Executive Director Governance, People & Resources (copy attached)

Contact Officer: Elizabeth Culbert

Tel: 01273 291515

A SUSTAINABLE CITY

99 VALLEY GARDENS PHASE 3

111 - 166

Report of the Executive Director Economy, Environment & Culture (copy attached)

100 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 3 February 2022 Council meeting for information.

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.

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Further information

For further details and general enquiries about this meeting contact Lisa Johnson email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE

4.00pm 2 DECEMBER 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Mac Cafferty (Chair) Druitt (Joint Deputy Chair), Gibson (Joint Deputy Chair), Allcock (Joint Opposition Spokesperson), Appich (Joint Opposition Spokesperson), Bell (Group Spokesperson), Clare, Evans, Miller and Yates.

Also present: Dr Anusree Biswas Sasidharan, Standing Invitee

PART ONE

58 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

58.1 There were no declarations of substitutes.

(b) Declarations of Interest

58.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

58.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

58.4 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the items contained in part two of the agenda.

59 MINUTES

59.1 The minutes of (a) the last meeting held on the 7th October 2021, (b) the special meetings held on (b) the 13th and (c) the 19th October 2021 were agreed as correct record of the proceedings.

60 CHAIR'S COMMUNICATIONS

60.1 The Chair gave the following communications:

- Want to start by acknowledging the evolving situation we are in re the Covid pandemic
- I share many of your concerns about what the Omicron variant means, and the council's public health team is working hard to anticipate what we need to do to stay safe- scenario planning is underway with the NHS while clear messages are being sent out to protect residents.
- To stay protected against this and the Delta variant, it has never been more important to get your vaccine and booster, ensure good ventilation when meeting people, wear a mask indoors and even when it's crowded outdoors. Get tested if you have symptoms – however mild- as we all know even those vaccinated can catch Covid and show no symptoms.
- This is an important message for all of us and our residents, and I have also asked public health officials to prepare a councillor briefing so that you are all up to date, building on the regular briefings and virtual meetings you know I have done with members throughout this pandemic.
- Of course there is still much we are waiting on scientists to understand about Omicron but it's more important than ever we stay safe and take care of one another
- At this testing time, the resilience of our city remains the top priority. This week we've had the construction of more new council homes in Portslade. Each property includes solar panels and ground source heat pumps to reduce carbon emissions and fuel bills, and there's space for growing food.
- This week I also met with the new Chief Executive of Brighton & Hove Bus Company, to discuss how we work together to ensure better services are provided to all areas and to push for more reduced and free travel fares. We need to protect our bus drivers- and indeed all frontline transport workers- from harassment when asking passengers to wear masks – they are of course only doing their job to keep all of us safe.
- I remain dedicated to our local economy and its recovery– I celebrated our incredible and resilient small businesses with the Small Business Saturday campaign roadshow which came to our city to shine a spotlight on our entrepreneurs and local businesses. Local business can sign up for free support and profile from Small Business Saturday- which is this Saturday- and to access training and advice smallbusinessaturdayuk.com. Get out and support your local small business.
- As our city continues to face down more than ten years of austerity, the outcomes of a crushing pandemic and the long shadow of Brexit, small business are incredibly important to our local economy, keeping jobs and money circulating in the local area. Following the joint campaign led by the Greens and Chamber of Commerce and others on the living wage, I'm pleased that over 750 businesses now also

signed up to pay the living wage, our local businesses are at the centre of our economic recovery and future innovation.

- No denying our businesses like all other sectors face challenges. The last 10 years has been described by the Children's Society as the ABC decade – Austerity, Brexit and Coronavirus – with an impact on our economy and public services. This is well highlighted by the initial budget report in the papers today.
- The report makes clear that many other councils (nine to date) that have stopped short of Section 114 notices but have been forced to apply to government for 'capitalisation directions' to enable them to use capital receipts or borrowing to fund annual revenue costs in the short term, and we've seen what's happened in Croydon and in Slough, with them going bankrupt
- Brighton & Hove is not there. We've stayed focused on keeping the city finances on a secure footing. But that doesn't mean there aren't now challenges. Omicron shows us that the impact of Covid-19 is far from over. Yet the funding from government to meet the cost of the pandemic is drying up. Add to this the soaring and backlogged demand for adult social care, children's services, 10 years of budget cuts and increasing costs due to inflation, price hikes and supply chain issues, it's clear government is leaving councils up and down the country facing difficult decisions to balance the books.
- As we consider the items on the agenda today also wanted to raise am very aware weather reports tell us the temperature will drop to below 0 this evening, sure none of us want to be here longer than we need to be.

61 CALL OVER

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

- Item 64 Progress Update Against Corporate Performance Indicators Q2 2021/22
- Item 65 Treasury Management Strategy Statement 2021/22 – Mid-Year Review
- Item 66 Targeted Budget Management (TBM) 2021/22: Month 7 (October)
- Item 67 Draft General Fund Budget and Resources Update 2022/23
- Item 68 Council Tax Reduction Review 2022-23
- Item 70 Kingsway to the Sea – West Hove Improvement Plan
- Item 72 Community Wealth Building Programme Update
- Item 73 Amendments to the Scheme of Officer Delegations – October 2021
- Item 74 Review of the Council's Constitution
- Item 78 Moulsecoomb Neighbourhood Hub & Housing Schemes: Update Report
- Item 79 Patcham Place Lodge

61.2 The following items on the agenda were agreed without discussion:

- Item 69 Software Licence Renewals
- Item 71 i360 Loan Restructure
- Item 75 Timetable of Meetings for 2022/23

- Item 76 Review of Market Supplement to be paid to Social Workers and Practice Managers in Children's Services
- Item 77 Brighton Marina to River Adur Coastal Management Scheme – Project Update
- Item 81 Moulsecoomb Neighbourhood Hub & Housing Schemes: Update Report – Exempt Category 3
- Item 82 Patcham Place Lodge – Exempt Category 3
- Item 83 Part 2 Minutes – Exempt Categories 3, 4 and 5

62 PUBLIC INVOLVEMENT

- 62.1 The Chair noted that there were no public items for the meeting.

63 MEMBER INVOLVEMENT

- 63.1 The Chair noted that Councillor Mears was unable to attend the meeting and invited Councillor Miller to put the question on her behalf.
- 63.2 Councillor Miller thanked the Chair and asked the question detailed in the agenda.
- 63.3 The Chair replied, I'm afraid I'm not going to be in a position to give a full response today and suggest is that the question is noted, and a full response is sent to Councillor Mears.
- 63.4 Councillor Miller thanked the Chair and stated that he did have a supplementary question, the 2018 report noted that there were likely to be additional set up and mobilisation costs not accounted for in the estimates set out in table 3, including:
1. Estate development budget delivery
 2. Concessionary Gardening Scheme
 3. Concessionary Decoration Scheme

Please can the Chair outline what the final costs have been for each of these key elements for:

- a. The twelve months prior to insourcing took effect
 - b. The twelve months after insourcing took effect
- 63.5 The Chair noted the question and offered to provide a full written response to Councillor Mears.

64 PROGRESS UPDATE AGAINST CORPORATE KEY PERFORMANCE INDICATORS Q2 2021/22

- 64.1 The Head of Performance, Improvement & Programmes introduced the report which detailed the key performance indicators (KPIs) for the period 1 April 2021 to 30 September 2021.
- 64.2 The Committee welcomed the report and thanked officers for their work on bringing the information to the committee. The Committee noted that council had faced key challenges with the pandemic and budget restrictions and that areas of performance

had therefore been affected. However, it was felt that there were areas where improvement was required, and it was hoped that these would be addressed in the end of year report to the committee so that progress could be noted. It was suggested that a KPI on the level of PDP's and 1:1 meetings for staff should also be included in the list of Corporate KPIs.

- 64.3 The Head of Performance, Improvement & Programmes noted that the inclusion of additional KPIs could be raised with the KPI Members Working Group and if agreed then included for future reports.
- 64.4 The Chief Executive noted that the quality of the report was very good and reminded the committee of the journey the organisation had been on to bring the information to Members. He stated that the Executive Leadership Team used the information to review performance on a regular basis and whilst the challenges for some services had been significant, work was underway to address areas that were under performing could be supported and begin to improve.
- 64.5 Dr Biswas-Sasidharan welcomed the report and asked if it would be possible to measure Trans information separately in the future.
- 64.6 The Head of Performance, Improvement & Programmes stated that she was not sure if sufficient information was available to separate it out but would look at that for future reports.
- 64.7 Councillor Appich welcomed the report and queried whether the information from residents was as up to date as it could be?
- 64.8 The Chair noted that the City Tracker had been delayed due to the pandemic and the last one had been in 2018 but he hoped that it could be put back on a bi-annual tie frame. He then put the recommendations to the vote which were carried unanimously.
- 64.9 **RESOLVED:** That the progress made in relation to Corporate KPIs in the context of the Covid-19 pandemic, particularly the corrective measures outlined for 'red' and 'amber' indicators, and that they provide support and challenge to lead officers to bring performance back on track be noted.

65 TREASURY MANAGEMENT STRATEGY STATEMENT 2021/22 - MID-YEAR REVIEW

- 65.1 The Head of Finance introduced the report which detailed the Treasury Management Statement and annual investment strategy. He noted that the council had borrowed £25 for the Housing Revenue Account and since mid-year had borrowed a further £25m. It was anticipated that there would be additional borrowing requirements to meet this year's objectives and the capital investment programme would be kept under review.
- 65.2 The Committee welcomed the report and noted that the council was in a good position and thanked officers for their diligence in investments on behalf of the council. The committee also asked that where lending to other authorities took place, that checks were made to ensure the funding was being used for ethical investments etc.

65.3 The Chair noted the comments and put the recommendations to the vote which were agreed.

65.4 **RESOLVED:**

- (1) That the key actions taken during the first half of 2021/22 to meet the TMSS and the investment strategy as set out in this report be noted;
- (2) That the reported compliance with the AIS for the period under review be noted; and
- (3) That it be noted that the approved maximum indicator for investment risk of 0.05% has been adhered to and the authorised borrowing limit and operational boundary have not been exceeded.

65.5 The Chair then took a short adjournment at 5.13pm before reconvening the meeting at 5.20pm.

66 TARGETED BUDGET MANAGEMENT (TBM) 2021/22: MONTH 7 (OCTOBER)

66.1 The Acting Chief Finance Officer introduced the report which outlined the forecast risk for 2021/22 at month 7 as part of the targeted budget monitoring report. He noted that the position had improved since the last report and that the continued slippage for the capital programme was likely to result in reprofiling of projects for 2022/23. He also noted that the final report would be brought to committee in February ahead of the Budget Council meeting that month.

66.2 The Committee welcomed the report and Members asked for clarification on the projected overspend for the Housing Revenue Account (HRA), and what actions were being taken to address the situation in Adult Social Care. It was also noted that there were shortfalls in parking fees and in relation to the homeless budget. Members also noted that the council was required to provide funding for concessionary bus fares and queried whether there were other areas that future reports could provide information on.

66.3 The Acting Chief Finance Officer stated that the HRA budget was in an unusual position with an overspend on repairs and maintenance, but it was anticipated that a balanced budget would be put forward ahead of the budget setting process. He was aware of difficulties in the Adult Social Care budget and the shortfall in savings targets was being factored in for 2022/23. He was also happy to look at other areas which could be reported on similar to the concessionary bus fares such as council tax claimants.

66.4 The Executive Director for Health & Adult Social Care noted that the Government had released a White Paper on social care and officers were looking at how savings could be achieved.

66.5 The Executive Director for Economy, Environment & Culture noted that there had been a significant uplift to the income targets for parking charges and permits and that there had been an improvement in the forecast with the take up of permits.

66.6 The Chair noted the comments and put the recommendations to the vote which were agreed.

66.7 **RESOLVED:**

- (1) That the forecast risk position for the General Fund, which indicates a potential forecast overspend risk of £3.396m be noted.

This is net of an underspend of £1.196m on the council's share of the NHS managed Section 75 services;

- (2) That the forecast for the Housing Revenue Account (HRA), which is currently an overspend of £1.276m be noted;
- (3) That the forecast risk position for the Dedicated Schools Grant which is an overspend of £0.430m be noted; and
- (4) That the forecast outturn position on the capital programme which is a forecast underspend of £5.084m be noted and the variations and slippage in Appendix 6 and new schemes as set out in Appendix 7 to the report be approved.

67 DRAFT GENERAL FUND BUDGET AND RESOURCES UPDATE 2022/23

67.1 The Acting Chief Finance Officer introduced the report which provided an update on the resource position for 2022/23 to 2025/26 and key impacts of the Chancellor's 3-year Spending Review 2021. He stated that for 2022/23 there would be a reliance on the economic recovery from the pandemic. He noted that in July there had been an estimated budget gap of £18m and this remained the current position, with savings projected to achieve £8.5m it left a gap of £9.5m. This would be a significant challenge for the authority and officers were working to look at additional options for the current year and potentially for a 4-year period in order to address the matter.

67.2 Dr Sasidharan asked how the budget process would be explained to the public and how the engagement would be taken forward.

67.3 The Communications Manager informed the committee that it was intended to have information on the council's website with an animation to explain the process and to make use of social media to engage with interested groups.

67.4 The Committee welcomed the report and asked various questions on aspects of the pressures and savings that were listed. It was noted that there could be potential options to increase income from those services that were highly regarded and provided services to other organisations. The overall budget position was noted, and the gravity acknowledged, and it was agreed that all Members would need to work collaboratively in order to ensure that corporate priorities could be met and the budget for 2022/23 agreed.

67.5 The Chair noted that Brighton & Hove was not the only authority in this situation and that residents tended to think that their council tax paid for all the services, whereas it only equated to 18.7% of the revenue expenditure. He also noted that there was an error in the report which referred to the removal of the Disability officer post, which was incorrect, and he confirmed that the post was currently out to advert with a view to being appointed to. He then put the recommendations to the vote which were agreed.

67.6 **RESOLVED:**

- (1) That the updated forecasts and latest resource estimates set out in the report be noted,
- (2) That the Draft Budget Strategies and first draft savings at Appendix 1 be noted;
- (3) That the draft Equality Impact Assessments (EIAs) at Appendix 2 and notes that final EIAs will be provided to February Policy & Resources Committee and Budget Council be noted;
- (4) That the predicted budget gaps set out in paragraph 4.22 totalling £27.655m over the 4-year period, including £18.005m in 2022/23 be noted;
- (5) That it be agreed to adopt a 4-Year planning period for its Medium-Term Financial Strategy; and
- (6) That it be noted that updated financial data and information from central government regarding the Local Government Financial Settlement (LGFS) may impact further on the development of budget proposals for 2022/23.

67.7 The Chair then called an adjournment at 6.39pm before reconvening the meeting at 6.55pm.

68 COUNCIL TAX REDUCTION REVIEW 2022-23

68.1 The Acting Chief Finance Officer introduced the report which detailed the review of its working age Council Tax Reduction Scheme. He noted that it was proposed to make fundamental changes to the scheme and to adopt a revised scheme to come into effect from the 1 April 2022. He also noted that officers had received positive feedback from various groups that had been consulted.

68.2 The Committee welcomed the report and the proposed changes to the Scheme and expressed their thanks to the officers involved for their hard work. Members of the committee also queried whether other income from various sources such as second homes and pensions schemes came into consideration when assessing eligibility for the scheme.

68.3 The Acting Chief Finance Officer stated that he would need to check on whether other sources of income were taken into account and would provide a written response to the committee Members.

68.4 The Chair noted the comments and put the recommendations to the vote which were carried unanimously.

68.5 **RESOLVED TO RECOMMEND:**

- (1) That the introduction of a revised Council Tax Reduction Scheme based on earnings brackets for working age Universal Credit claimants be agreed;
- (2) That Council Tax Reduction claimants who are not recipients of Universal Credit should remain on the existing Council Tax Reduction scheme; and
- (3) That the fund for Discretionary Council Tax Reduction be set to £200,000 in 2022/23.

69 **SOFTWARE LICENCE RENEWALS**

69.1 **RESOLVED:** That delegated authority be granted to the Executive Director of Finance & Resources to take all necessary steps to:

- (i) Use the KCS Professional Services National Framework for the supply and delivery of Software Products & Associated Services 2 to procure a Licence Solution Partner (LSP) for the Council and its Orbis partners, East Sussex County Council and Surrey County Council
- (ii) Award a contract to the successful Licence Solution Partner (LSP) to provide the Council with three Microsoft Enterprise Licence Agreements for a term of 3 years with an estimated total value of £3,306,000.00.

70 **KINGSWAY TO THE SEA - WEST HOVE IMPROVEMENT PLAN**

70.1 The Executive Director for Economy, Environment & Culture introduced the report, which set out proposals for the Kingsway to the Sea project and the next steps in developing the project following a successful application for £9.5m to the government's Levelling Up Fund.

70.2 The Committee welcomed the report and thanked the officers for the work to date on the project. It was noted that a figure of 20% for contingencies had been estimated but that this could be reduced once greater clarity on the overall costs emerged as the project progressed. It was also agreed that as part of the project directly impacted on young people, there would be an engagement process with the Youth Council.

70.3 The Chair then put the recommendations to the vote which were agreed.

70.4 **RESOLVED:**

- (1) That the council's recent success in securing £9.5 million from the government's LUF to regenerate a linear park and outdoor sports facilities between the King Alfred Leisure Centre and Hove Lagoon be noted;

- (2) That it be agreed that the Kingsway to the Sea project will be progressed in line with the successful LUF bid and in consultation with community stakeholders and ward councillors;
- (3) That a total budget of £10.647 million for the Kingsway to the Sea project, including £1.147 million (10.4%) of funding from council resources, to be added to the Capital Investment programme be agreed;
- (4) That commencement of this project, with the appointment of project management to accelerate the programme and design towards the deadline of 31st March 2024 for completion be agreed; and
- (5) That it be agreed that the design development of Kingsway to the Sea project requires a progress update report to be brought back to Policy & Resources Committee before a planning application is made in 2022.

71 I360 LOAN RESTRUCTURE

71.1 RESOLVED:

- (1) That the process and timetable for officers to come back to committee with a proposed final restructure of the loan to the i360 be noted; and
- (2) That it be agreed that the December 2021 repayment should be taken upon completion of the restructure and should be for the sum that would be payable had the restructure completed before 31st December 2021.

72 COMMUNITY WEALTH BUILDING PROGRAMME UPDATE

- 72.1 The Executive Director for Economy, Environment & Culture introduced the report, which provided an update on the programme of work the Community Wealth Building Member Working Group would be undertaking and the timetable for a report to committee.
- 72.2 Councillor Evans proposed an amendment on behalf of the Labour Group which was formally seconded by Councillor Yates. She stated that the intention was to get clarity on the funding that had been set aside and when it could be spent.
- 72.3 Councillor Gibson welcomed the report and the amendment and asked if an additional wording of 'and to identify any additional resources needed' could be included.
- 72.4 Councillor Evans stated that she was happy to include the additional wording to her amendment.
- 72.5 Councillor Yates stated that he supported the change and stated that the intention had been to ensure long-term substantive change and to embed good practice in going forward with projects.
- 72.6 The Chair noted that additional wording had been added to the amendment and sought the committee's agreement to accepting the revised wording. Having received the

committee's agreement, he then put the revised amendment to the vote which was carried.

72.7 The Chair then put the amended recommendation to the vote which was carried.

72.8 **RESOLVED:** That the Community Wealth Building Group and the Asset Management Board present a progress report to the March meeting of the Policy & Resources Committee, to outline how funds are being spent to advance Community Wealth Building and explore implementation of the findings where appropriate using the funds, previously allocated.

73 AMENDMENTS TO THE SCHEME OF OFFICER DELEGATIONS - OCTOBER 2021

73.1 The Chief Executive introduced the report which detailed the proposed merger of two directorates to form the Governance, People & Resources Directorate and changes to officer delegations. He stated that it was intended to streamline arrangements and to provide greater accountability but also to recognise the pressures that officers had been under.

73.2 The Committee welcomed the report and noted the benefits that would be derived from the creation of the new directorate. The committee also noted that the improved structure would provide long-term stability that the organisation required. The proposed move for the Bereavement Service to ASC&H was welcomed and it was hoped that the various appointments could be confirmed as soon as possible.

73.3 The Chair noted the comments and put the recommendations to the vote which were agreed.

73.4 **RESOLVED:**

- (1) That the proposed merger of the F&R and SG&L Directorates under one Executive Director (Executive Director for Governance, People and Resources) and the consultation being undertaken, which finished on 15 October 2021 be noted;
- (2) That the changes to the scheme of delegations to Officers as set out in paragraphs 3.15 and in Appendix 1 to the report be agreed;
- (3) That that the changes referred to under (2) above come into effect from 3rd December 2021; and
- (4) That that the outcome of the further consultation referred to at paragraph 3.12 will be reported to a future committee be noted.

74 REVIEW OF THE COUNCIL'S CONSTITUTION

74.1. The Executive Lead Officer for Strategy, Governance & Law introduced the report which outlined the recommendations of the Constitution Working Group for changes to the Council's Constitution. He drew the Committee's attention to various changes that were being put forward and thanked the Working Group for their work. He also drew

the Committee's attention to an error in the report and the need for the reference at 36.39 to refer to the Executive Director for Housing, Neighbourhoods & Communities rather than the Executive Director for Economy, Environment & Culture.

- 74.2. Councillor Evans moved an amendment on behalf of the Labour Group which was formally seconded by Councillor Allcock. She welcomed the report and thanked the Working Group and the officers for their work and noted that the amendment was being brought to maintain the essential part of the democratic process of full Council but also noted the aim for the number of written questions to be kept at a reasonable level.
- 74.3. Councillor Clare thanked her colleagues for their work on the Working Group and noted that the aim had been for any proposed changes to be raised with the respected Groups prior to each meeting of the Working Group, in order to enable an informed debate at the Working Group. She was therefore disappointed to see the amendment and hoped that in the future there would be a greater clarity of views brought to the Working Group. She also suggested that rather than one written question per Member the proposal could be changed to two written questions per Member.
- 74.4. Councillor Appich noted the comments and stated that the Labour Group had been unable to consider the proposals ahead of the Working Group and whilst the intention to reduce the number of written questions at full Council was supported, it was felt that there was a need to wait until the Member casework system was rolled out and became an effective resource for councillors.
- 74.5. Councillor Allcock stated that there was a need for Members to be able to represent the concerns of residents at full Council and therefore until other avenues for raising matters improved, it was important to retain the ability to submit questions to the Council.
- 74.6. The Chair noted the comments and put the Labour amendment to the vote, which was carried by 4 votes to 0, with 5 abstentions.
- 74.7. The Chair then put the recommendations as amended to the vote which were carried by 8 votes to 0, with 1 abstention.
- 74.8. **RESOLVED:**

- (1) That the resources described at paras 4.6 & 4.7 and attached at Appendices 2 & 3 be approved and that the Monitoring Officer be given delegated authority to review and update those as necessary in future;
- (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 paragraph 4.9, with the following underlined changes made to clause (ii) to bring it in line with clause (iii) be agreed:

That approval is given in principle to changing the Terms of Reference of the Stanmer Park Working Group to remove the requirement that its members be appointed from its parent Committee: a provision which is not included in the Terms of Reference of such other Groups as the Strategic Delivery Board and

the Housing Supply Board. It is proposed that instead express provision be made to allow this aspect of the Terms of Reference to be for the parent Committee to decide.

- (3) 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 4.9 (as amended in (2) above) to 4.14 inclusive and Appendix 4, including (but not only) by disbanding the Orbis Joint Committee and substituting a new Orbis Partnership Oversight Board be agreed;
- (4) That it be agreed to delegate to the Chief Executive the power to appoint an individual as disability representative in accordance with recommendation 3 to council below (and any other appointment of individuals as co-optees or standing invitees where the principle of the appointment has been agreed by the relevant committee or Council) following consultation with Group spokespersons for the relevant committee;
- (5) That the re-appointment for a period of 12 months of the Council's two Black and Minority Ethnic standing invitees (to Policy & Resources Committee and Tourism, Equalities, Communities & Culture Committees respectively) as specified in paragraph 4.15 of the report be agreed;
- (6) That the proposals to make the changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution (paragraphs 4.17 to 4.20 inclusive and 4.23 and Appendices 5 and 6) be agreed;
- (7) That the Parents and Carers Leave Policy for Members (as outlined in para 4.22 and Appendix 7) of the report and the revised Indemnity for Members (para 4.24 and Appendix 8) of the report be agreed;

74.9. RESOLVED TO RECOMMEND:

- (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, 4.2, 4.4, 4.5 and Appendix 1 to the report, but not the changes indicated in paragraph 4.3 which Policy & Resources Committee recommends are not adopted be approved;
- (2) That the proposal outlined in para 4.8 to transfer responsibility to manage authorised and unauthorised encampments (including all activities incidental to the Council's functions of Gypsies, Roma and Travellers and Van dwellers) to the Housing Committee from the Environment, Transport & Sustainability Committee be agreed;
- (3) That it be noted that the disability representative agreed by the Policy & Resources Committee at its meeting on 2 May 2021, would attend Environment, Transport & Sustainability Committee and has the status of a standing invitee, the appointment of which is a matter for Policy & Resources Committee;

- (4) That both the proposal to make changes to Part 8.5 and the amendments to the rules on future changes to that Part outlined in para 4.21 of the report be approved;
- (5) That the proposed changes referred to in paras 2.1 (Appendix 1) of the report be approved;
- (6) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental for the implementation of the changes agreed by the Policy & Resources Committee and by Full Council and authorises the Monitoring Officer to amend and re-publish the Council's constitutional documents to incorporate the changes.
- (7) That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

75 TIMETABLE OF MEETINGS FOR 2022/23

- 75.1 **RESOLVED:** That the proposed timetable of meetings for the 2022/2023 municipal year be agreed; subject to any necessary amendments following changes to the Constitution and/or committees' requirements.

76 REVIEW OF MARKET SUPPLEMENT TO BE PAID TO SOCIAL WORKERS AND PRACTICE MANAGERS IN CHILDREN'S SERVICES

- 76.1 **RESOLVED:** That a new market supplement regime for social workers in children's services, as summarised below and set out in the report at paragraphs 3.1 to 3.22, to be implemented and backdated to 1 November 2021 be approved.

- A market supplement of 12.5% on basic salary for all newly qualified (SO1/2) and main grade (M11) Social Workers and all Senior Social Workers (M10) within the eligibility scope defined below;
- The definition for eligibility for the social worker market supplement will be all the above posts in children's social work services that are involved in social work with families;
- The market supplement for Practice Managers in the Front Door for Families is replaced with a new market supplement of 6.25% of basic salaries and this is also extended to other M9 posts in children's social work services that are social work posts involved in social work with families;
- These figures are percentages of basic salary and so will be pro rata for part-time staff.

77 BRIGHTON MARINA TO RIVER ADUR COASTAL MANAGEMENT SCHEME – PROJECT UPDATE

- 77.1 **RESOLVED:**

- (1) That the procurement of a new construction contract for the accelerated construction elements of the FCERM Scheme using the EA's CDF be approved; and

- (2) That the Executive Director for Economy, Environment & Culture be granted delegated authority to take all steps necessary to procure and award the construction contract referred to in (1) above.

78 MOULSECOOMB NEIGHBOURHOOD HUB & HOUSING SCHEMES: UPDATE REPORT

- 78.1 The Executive Director for Economy, Environment & Culture introduced the report, which provided an update on the Moulsecoomb Neighbourhood Hub and Housing Schemes. It was intended to provide 211 new homes and community facilities and a full planning application was expected to be submitted in the new year.
- 78.2 The Committee welcomed the report and thanked officers for their work to date and hoped that it would come to fruition.
- 78.3 The Chair then put the recommendations to the vote which were agreed.
- 78.4 **RESOLVED:**
- (1) That officers be authorised to progress the submission of a planning application for the Moulsecoomb Hub and Housing development.
- (2) That it be agreed that the anticipated budget for this stage of £2.1m to be funded by HRA Borrowing and included as part of the 2021/22 HRA Capital Programme.

79 PATCHAM PLACE LODGE

- 79.1 The Executive Director for Economy, Environment & Culture introduced the report, which sought approval for the disposal of a detached residential property.
- 79.2 Councillor Yates moved an amendment on behalf of the Labour Group which was formally seconded by Councillor Evans. He stated that the intention was to seek to achieve the best value for the asset and hoped that the amendment could be supported.
- 79.3 Councillor Druitt stated that he was happy to accept the amendment and noted that the disposal of the property was the appropriate course of action in this instance.
- 79.4 The Chair noted that the Labour amendment had been accepted and put it to the vote which was carried. He then put the recommendation as amended to the vote which were agreed.
- 79.5 **RESOLVED:** That the disposal of this property on the open market for the best consideration reasonably obtainable be agreed, and that delegated powers be given to the Executive Director of Economy, Environment & Culture, Assistant Director Property & Design and Head of Legal Services to approve terms and take any necessary steps to facilitate this recommendation.

80 ITEMS REFERRED FOR COUNCIL

- 80.1 The Chair asked if the Committee wished to refer any items to the next full Council meeting for information.
- 80.2 Councillor Yates requested that Item 64, Progress Update Against Corporate Key Performance Indicators Q2 2021/22 be referred to the full Council.
- 80.3 **RESOLVED:** That Item 64 be referred to the full Council for information.

81 MOULSECOOMB NEIGHBOURHOOD HUB & HOUSING SCHEMES: UPDATE REPORT - EXEMPT CATEGORY 3

- 81.1 **RESOLVED:** That the information contained in the appendix be noted.

82 PATCHAM PLACE LODGE - EXEMPT CATEGORY 3

- 82.1 **RESOLVED:** That the recommendations contained in the report be agreed.

83 PART TWO MINUTES - EXEMPT CATEGORIES 3, 4 & 5

- 83.1 **RESOLVED:** That the minutes of the special meeting held on the 13th October 2021 be approved.

84 PART TWO PROCEEDINGS

- 84.1 **RESOLVED:** That the items and decisions thereon contained in part two of the agenda remain exempt from disclosure to the press and public.

The meeting concluded at 8.46pm

Signed

Chair

Dated this

day of

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 90(1)

Subject: **Council Finances** – Deputation referred from the Public Engagement Meeting held on 16 December 2021

Date of meeting: 27 January 2022

Report of: Executive Director for Governance, People & Resources

Contact Officer: Name: Lisa Johnson

Email: lisa.johnson@brighton-hove.gov.uk

Ward(s) affected: All

1. Purpose of the report and policy context

- 1.1 To receive the following deputation which was presented at and referred from the public engagement meeting held on the 16 December 2021.

2. Recommendations

- 2.1 That the Committee responds to the deputation either by noting it or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options and writes to the deputation spokesperson setting out the committee's decision(s).

3. Context and background information

- 3.1 To receive the following deputation along with the extract from the public engagement meeting which is detailed in appendix 1:

(3) Deputation concerning Council Finances

Spokesperson Laura King on behalf of Brighton and Hove Citizen's Action Group

Projects and Schemes are being prioritised over council provision of Statutory Goods and Services paid for by our Council Tax with the result that the Statutory Goods and Services are getting cut.

Brighton and Hove City Council are also acting contrary to their own Statement of Accounts 2020-21 www.brighton-hove.gov.uk/sites/default/files/2021-09/BHCC%202020-21%20SoA%20FINAL%2029-09-21.pdf which cited pressure on 'income generating' areas such as parking income as likely to affect future council tax rises (page 41). BHCC's response has been to make the city an increasingly unwelcome, expensive and inaccessible place to anyone arriving by motorised transport. We propose a City First approach to ensure that Council Tax is primarily used for statutory goods and services only, with

other income streams and central government funding used to fund (publicly agreed) projects and initiatives.

Supporting information

Financial

As if the pandemic has not crushed the people of Brighton and Hove enough they have seen a 5% Council Tax rise in 2020-2021, (above national inflation rate of 3.8%), including £26m to tackle 'climate crisis' when, along with other initiatives, this is not an item listed as part of statutory goods and services so it should not be taken from Council tax, particularly with the risk that statutory goods and services could face cuts as a result.

Rather than have a 2-3 year council tax freeze to recover, the people of Brighton and Hove are now being told they will face another exorbitant 4.99% Council Tax rise for 2021-22 in the post-pandemic recession (also above national inflation rate of 3.8%).

Meantime taxpayers have seen their residential parking permits rise by up to 9% in 2021 (50% extra if they own a vehicle deemed 'high emissions' by the city council) and permit renewals have been months late in being issued, resulting in many wrongful parking tickets being issued to residents.

There is confusion over whether the council has a £10m surplus from 2020 or not. It has predicted a £14.839 million and £13.039 million shortfall for 2021-2022 budget www.brighton-hove.gov.uk/news/2020/setting-council-budget-and-council-tax-2021/22-during-covid-19 Or was the £10m surplus used to plug the black hole that is the i360 (estimated to be around £10m) following further payment failures on top of the £36m public works loan.

Why is nearly £400k currently being spent on recruiting travel and transport employees and where is this money coming from? This is in addition to more than £250k of such roles being advertised earlier this year.

A £1.17m loan was taken to invest in Bikeshare (which has removed at least 40 x paid parking spaces around the city, often unnecessarily when a hub could have been sited off-street). BHCC has asked for sponsors yet public bike schemes are proven to be loss-making and have been discontinued in a number of international cities as a result. Who will pay for BikeShare's planned expansion into Adur and Worthing? Have Adur and Worthing councils agreed to foot the cost for their areas?

New street cycle hangers have been procured (each holding 6 bicycles), which will again result in the loss of paid visitor and resident parking spaces. £500,000 was allocated by the council to provide 100 (which would make them £5k each. Actual cost checked with manufacturer finds they are £3,945 each including installation for single hanger order, (discount for bulk order). But where did BHCC get this money from and where is the surplus money going?

Why are people who walk/cycle already being bribed to do so under BHCC 'Move for Change' human tracking scheme and who pays for this? A scheme which discriminates against those unable to walk or cycle and does not meet council EDI commitments.

Meantime we understand that the cost of each new EV dustbin cart is likely to be four times the cost of a diesel dustcart, but further investigation is going on separately.

How much did bin strike cost city and where is that money coming from?

Madeira Terraces restoration fund appears to be missing from Statement of Accounts 2020-21. Where is it and why

are seven teams of consultants needed to use up a large chunk of the £11.2m?

Are Environmental/any bicycle pressure groups acting as council consultants and are they receiving any payment from Council?

Economy

Brighton and Hove is a visitor destination, yet more and more people are swearing never to visit or shop here again. What is BHCC doing to welcome visitors and encourage them to spend their money in the city versus rival towns and cities, particularly now most people are holidaying in the UK?

Visitor parking prices have continued to rise making Brighton and Hove the most expensive city to park in outside London. Furthermore hundreds of paid parking spaces are being removed throughout the city. We now see plans of the Madeira Terraces restoration showing none along that stretch. What is being done to reinvigorate the night time economy such as minimal or free parking?

Why is Churchill car park now closing at 8pm each night?

How does bus gate profiteering 310 x tickets in one day x £60 each x 365 days = £7,789,000.00 support or attract visitors?

How do planned emissions aka 'Clean Air Zone' charges support or attract visitors?

What evidence-based studies have been done on ULEZ's and re-allocating roads to cycle lanes to prove environmental and user benefit over creation of additional gridlock and pollution?

Conclusion

It is vital that Brighton and Hove citizens see their Councillors working for the city and not against it, particularly if our Councillors keep telling us that central government funding continues to be reduced. In which case BHCC need to account for every penny of our public money and spend it wisely. There must be no more hypocrisy and eco-bullying of us either if we are prepared to draw a line under the following:

Green Council leader Phelim MacCafferty leading by example by taking unnecessary internal flights.

Green Councillors Druitt and Phillips with their second home in France necessitating regular driving and/or flying to and from their property.

Green Councillor Steve Davis working as a Driving Instructor.

Green Councillor Jamie "Cyclists need to reclaim the road from cars" getting caught driving through the bus gate.

Green Councillor Hills driving her child to and from school each day while vigorously endorsing other people's streets be turned into 'pocket gardens'.

From now on, all projects need to be accountable and evidence-based with impartial and meaningful resident consultations and surveys to either back them or otherwise.

Supported by:

- | | |
|------------------|-----------------|
| 1. Peter Harland | 2. Gary Ayling |
| 3. Andy Maclay | 4. James Forbes |

Wards affected: All

BRIGHTON & HOVE CITY COUNCIL

PUBLIC ENGAGEMENT MEETING

4.30pm 16 DECEMBER 2021

VIRTUAL

MINUTES

Present: Councillor Robins (Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Evans, Gibson, Hamilton, Heley, Hills, Janio, John, Knight, Mac Cafferty, McNair, Meadows, Mears, Nemeth, Nield, Osborne, Peltzer Dunn, Pissaridou, Powell, O'Quinn, Shanks, Simson, C Theobald, Wilkinson and Williams.

3. DEPUTATIONS

- 4.1 The Mayor reported that four deputations had been received from members of the public and that he would invite the spokesperson to introduce their deputation and then the relevant Chair to respond. He noted that 15 minutes were set aside for the consideration of deputations.
- 4.10 The Mayor invited Laura King as the spokesperson for the deputation to join and address the meeting; noting that the deputation related to council finances.
- 4.11 Laura King spoke on the deputation relating to the management of the council's finances and the proposed increase in the council tax for 2022/23.
- 4.12 Councillor Gibson thanked Ms King for presenting the deputation and stated that he was unsure about the figure of 4.99% for a council tax increase as the highest increase could only be 3.99%. He believed that the visitor economy had held up and stated that the council was doing all it could to ensure services were maintained and any increases in charges kept to a minimum. He also noted that the council tax only made up a small proportion of the council's finances and that the council had faced significant cuts in government grants. However, it continued to support those on low incomes and the report on the council reduction scheme which was due to be considered at the full council meeting was an example of this.
- 4.13 The Mayor thanked Ms King for joining 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 Policy & Resources 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.

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 90(b)

Subject: Member Questions

Date of meeting: 27 January 2022

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

The following written questions have been received from Members

(1) Councillor Fishleigh - Gasworks

The planning application for the Gasworks site is now in.
Has the council now decided what it is going to do with the plots of council-owned land to the north and south of the site?

(2) Councillor Fishleigh - Black Rock

What is the status of the phase 2 development brief for Black Rock?

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 90(d) (i)

Subject: Joint Notice of Motion from the Labour, Green and Conservative Groups – Automated External Defibrillators in Outdoor Spaces

Date of meeting: 27 January 2022

Proposer: Councillor Platts
Seconder: Councillor Gibson
Councillor Bell

Ward(s) affected: All

This Committee:

1. Notes that the moment someone has a cardiac arrest, every minute without CPR and defibrillation reduces their chances of survival and that by connecting all Automated External Defibrillators (AEDs) to the national defibrillator network known as the Circuit, NHS ambulance services can direct people to a nearby AED during those crucial moments and help save a life.
2. Acknowledges the fundraising efforts undertaken local people; community groups and the Sussex Heart Charity to increase the number of publicly available AEDs in Brighton & Hove.
3. Notes that Covid appears to have increased people's desire to take exercise outdoors both in public parks and along the seafront and this should be encouraged.
4. Notes the commitment by the Welsh Government to fund more AEDs if they are registered on The Circuit; news reports suggesting the Government might provide AEDs in schools and the AED Bill going through Parliament.
5. Calls on the P&R Committee to publish a report outlining how the Council might work with local organisations such as Sussex Heart Charity to provide a defibrillator in all Council owned outdoor spaces where people regularly take exercise including public parks and along the seafront and how these can be connected to the Circuit.

Supporting Information:

Automated External Defibrillators (AEDs) are portable battery powered devices that check a casualties' heart rhythm using electrode pads. If a problem is detected, the device sends an electric shock to the heart to restore a normal rhythm. No formal

training is necessary to operate them in a medical emergency as they “talk” the operator through the necessary steps. In the event of a suspected cardiac arrest, these devices can be vital in saving lives. If a defibrillator is applied and effective CPR performed within three to five minutes of the cardiac arrest, chances of survival increase by 50%.

<https://www.thecircuit.uk/>

<https://sussexheartcharity.org/portfolio/aeds-in-the-community/>

https://www.bbc.co.uk/news/uk-wales-58576214?at_medium=RSS&at_campaign=KARANGA

<https://www.bbc.co.uk/news/uk-england-merseyside-58480491>

<https://bills.parliament.uk/bills/2810>

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 91

Subject: Restore Council Services
Notice of Motion from the Conservative Group

Date of meeting: 27 January 2022

Proposer: Councillor Miller
Seconded: Councillor Simson

Ward(s) affected: All

This Council:

1. Notes concerns that have been raised by residents at the ongoing drop in service quality throughout the pandemic across various services areas, such as Housing and Parking;
2. Further notes that the Council has failed to communicate a plan to residents detailing when and how services will be restored to their previous standard; and
3. Calls for such a plan to be drawn up, presented as a report to Full Council in February, and communicated to residents thereafter.

Supporting Information:

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 91

Subject: Council Tax Base 2022/23

Date of meeting: 27 January 2022

Report of: Chief Finance Officer

Contact Officer: Name: James Hengeveld
Tel: 01273 291242
Email: james.hengeveld@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 The council tax base represents the amount that would be raised by setting a £1 council tax on a band D property. It is a requirement of the Local Government Finance Act 1992 and associated regulations that the tax base is calculated for the purpose of setting the council tax in 2022/23 before 31 January 2022.
- 1.2 The purpose of this report is to provide information to enable Members to agree the tax base for 2022/23. Members will be aware a report on Council Tax Reduction (CTR) scheme for 2022/23 went to this committee on 2 December 2021 which included changes to the existing scheme that are subject to approval at Full Council.

2. Recommendations

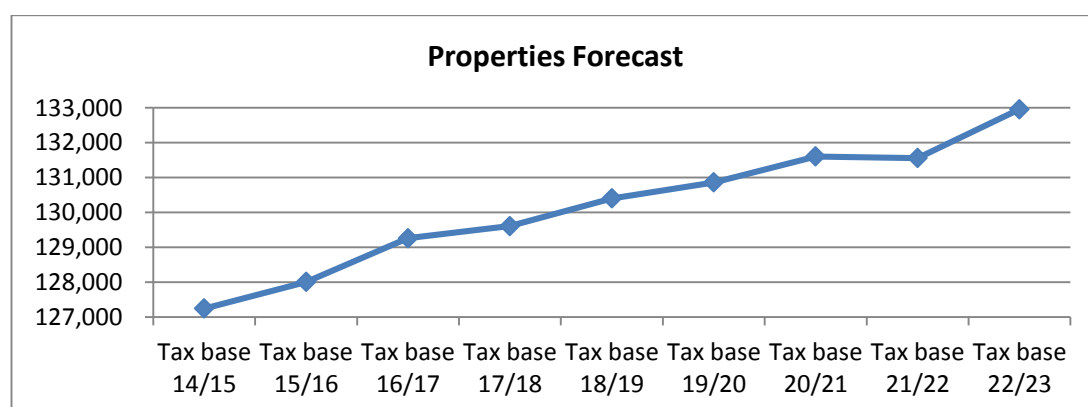
- 2.1 That Committee agrees the calculation of the council's tax base for the year 2022/23 including proposed changes to the CTR scheme.
- 2.2 That Committee notes the collection rate assumed is 98.75%.
- 2.3 That Committee agrees that in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amounts calculated by Brighton & Hove City Council as its council tax base for the year 2022/23 shall be as follows:
 - 2.3.1 Brighton and Hove in whole – 91,204.0 (detail in appendix 1)
 - 2.3.2 Royal Crescent Enclosure Committee – 29.7 (detail in appendix 2)
 - 2.3.3 Hanover Crescent Enclosure Committee – 41.2 (detail in appendix 2)
 - 2.3.4 Marine Square Enclosure Committee – 69.9 (detail in appendix 2)
 - 2.3.5 Parish of Rottingdean – 1,600.7 (detail in appendix 2)
- 2.4 That Committee agrees that for the purposes of Section 35(1) of the Local Government Finance Act 1992, the expenses of meeting the special levies

issued to the council by the Enclosure Committees shall be its special expenses.

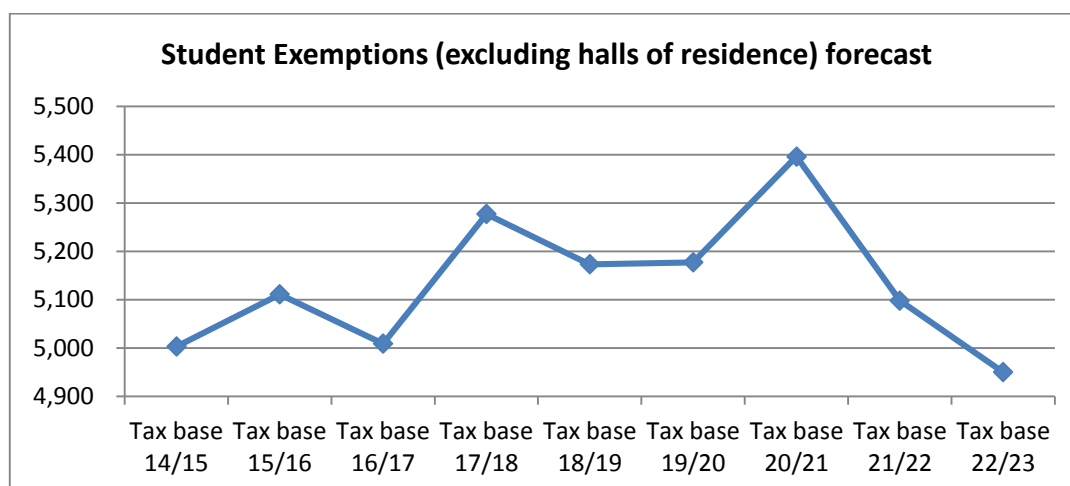
- 2.5 That Committee agrees that the Enclosure Committees and Rottingdean Parish are paid the required Council Tax Reduction Grant of c£4,000 in total, to ensure they are no better or no worse off as a result of the introduction of the Council Tax Reduction Scheme for the reasons set out in paragraph 3.13.

3. Context and background information

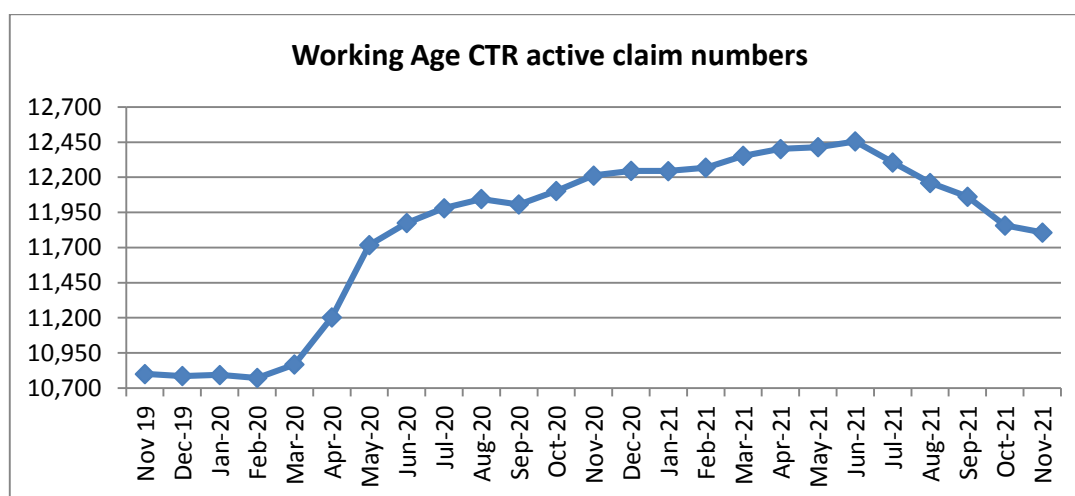
- 3.1 The tax base has been calculated in accordance with the Local Authority (Calculation of Council Tax Base) (England) Regulations 2012. The detail of the calculation for the whole of Brighton and Hove is shown at appendix 1.
- 3.2 The tax base is calculated by estimating how many properties there will be in each tax band, determining what relevant discounts and exemptions apply and how much council tax should ultimately be collected, allowing for expected collection rates.
- 3.3 The key changes to the proposed tax base for 2022/23 are set out below.
- 3.4 As of November 2021, there were 131,732 properties on the valuation list. It is forecast that 1,227 new properties will be added by March 2023 equivalent to a 0.9% increase in the housing stock of the city. The largest developments within this include 168 new properties at the Edward Street Quarter development, 164 properties at School Road, Hove, 126 properties at Saunders Park View, 70 properties at the former Astoria at Gloucester Place and 69 properties at Kings House.
- 3.5 There are also large student developments forecast to be added to the list by 31 March 2023, however, as the assignment of how these are valued will impact on exact numbers of properties added to the list and they will be eligible for student exemptions, there will be no direct additional council tax income and they are not shown in the tax base forecast given the uncertainty of the how they will be valued. The graph below shows the trend of registered properties over time.

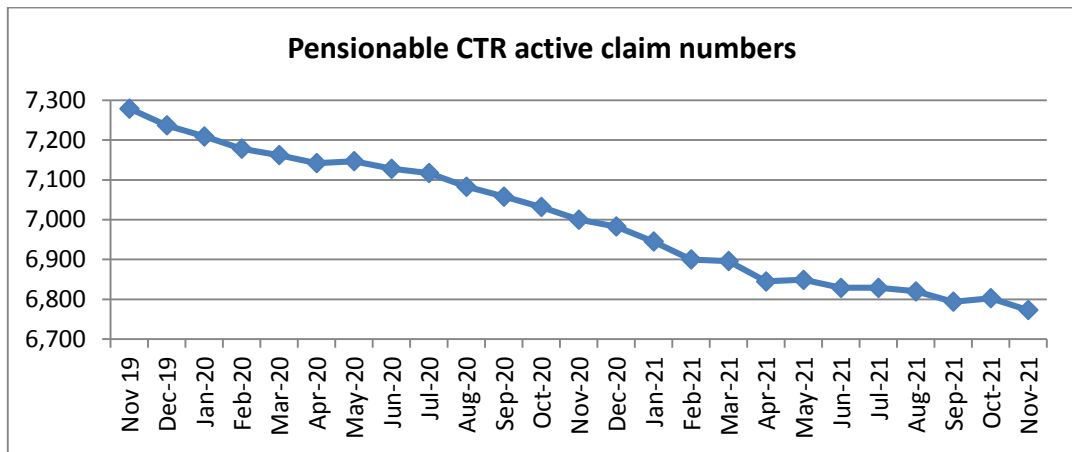


- 3.6 It is estimated that an average of 4,950 properties will be solely occupied by students (excluding halls of residence) during 2022/23. This is a decrease compared with 2021/22 due to the increase in the numbers of halls of residence being built within the city. The universities have a significant increase in units on campus either completed or in progress as well as a number of private sector student halls of residence. It is expected that these developments will ultimately reduce the number of other housing properties solely occupied by students. The graph below shows the number of student exempt properties forecast in the tax base.

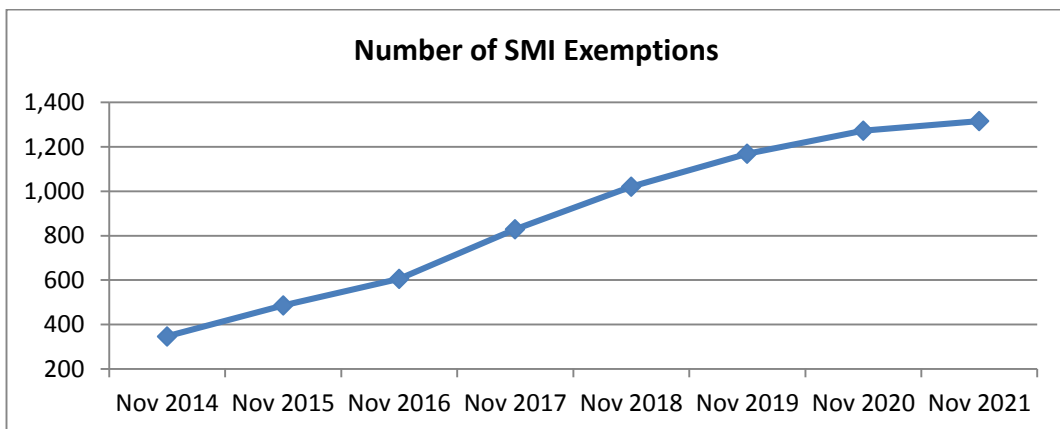


- 3.7 The number of working age claimants eligible for Council Tax Reduction (CTR) increased significantly up until June 2021 due to the impact from Covid-19 and has since started to reduce. There are 406 less claimants in November 2021 compared to November 2020. The pensionable claimants receiving CTR have continued to decrease through 2021/22 but at a slightly lower level than previous years as shown in the graph below. The tax base forecast includes a further reduction in working age claimants through to March 2022 followed by a reduction through 2022/23. In addition, it includes the proposed changes to the CTR scheme due to be presented to Full Council on 3 February 2022.

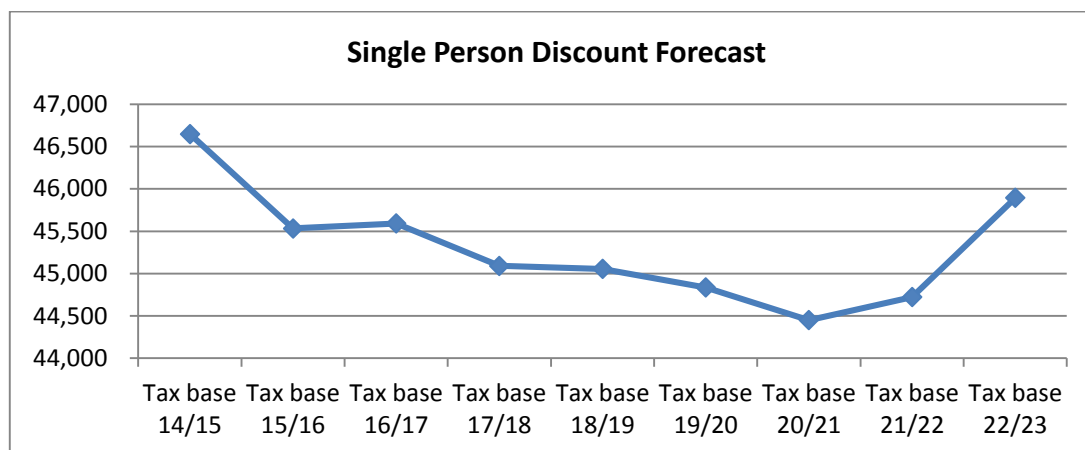




- 3.8 The number of exemptions for Severely Mentally Impaired (SMI) eligibility continue to increase. An SMI exemption is a 100% discount and therefore with the introduction of the minimum contribution for working age claimants under CTR, it is beneficial for eligible claimants to be appropriately classified. Since there was no difference to the discount level previously, it is likely SMI was under reported. The changes in the numbers of CTR claimants and SMI exemptions have been reflected in the proposed tax base. SMI exemptions are shown in the graph below.



- 3.9 The proposed tax base for 2022/23 assumes a higher level of single person discounts (SPDs) compared to last year but is lower than the 46,347 currently on the system. The council's Revenues & Benefits Service are in the process of ensuring eligibility is correctly applied through data matching to verify the number of adults within a household and this is anticipated to reduce the SPD awards. SPD trends are shown below.



- 3.10 The collection rate was reduced to 98.3% in 2021/22 to allow for the ongoing impact of Covid-19 for harder to collect council tax debt. Covid-19 is still having an impact on harder to collect debt and therefore whilst it is anticipated the collection rate can increase, it is not anticipated to increase back to the pre-pandemic level at this stage. The collection rate in 2022/23 has been increased to 98.75%.
- 3.11 The resultant tax base proposed for 2022/23 is 91,204.0 which is a 1.9% increase from the 2021/22 tax base of 89,493.0 for the reasons explained above and summarised in the table below.

	Tax base	Change
2021/22 tax base	89,493.0	
Reduced CTR claimants	918.1	+1.0%
Changes to CTR scheme from 1/4/22	-187.5	-0.2%
Increase in collection rate	392.8	+0.4%
Net decrease in exemptions	51.8	+0.1%
New properties and band changes	831.4	+0.9%
Decrease in empty homes premium	-8.0	0.0%
Net increase in discounts	-287.6	-0.3%
2022/23 tax base	91,204.0	+1.9%

- 3.12 The regulations require a separate calculation for parts of a local authority area where special expenses apply. Appendix 2 show the summary calculation for Enclosure Committees in Brighton and Hove which fall under this category. Each Enclosure Committee sets a levy for maintaining the enclosure gardens, which is recovered through an additional council tax charge to the enclosure residents. Appendix 2 also shows the summary calculation for the Parish of Rottingdean.
- 3.13 The additional discounts generated by the council tax reduction scheme also have implications for the Enclosure Committees and Rottingdean Parish. In line with government guidance and what is considered fair to local residents it is proposed that the relevant proportion of council tax reduction grant is paid to each body to ensure they are no better or no worse off as a result of the local scheme. It is estimated the total grant payable in 2022/23 will be

c£4,000 in line with previous years; the actual figure will depend on the tax level set by each body.

4. Analysis and consideration of alternative options

- 4.1 The calculation of the council tax base is determined largely by regulation and is based on the best information available at this time.

5. Community engagement and consultation

- 5.1 There are meetings between Finance and Revenues teams to discuss collection performance, movements in the tax base and the projections used for determining the tax base for the following year.
- 5.2 The Police and Crime Commissioner for Sussex and the East Sussex Fire Authority have been informed of the latest tax base projections as it forms part of setting their council tax precept.

6. Conclusion

- 6.1 It is a requirement of the Local Government Finance Act 1992 and associated regulations that the tax base is calculated for the purpose of setting the Council Tax in 2022/23 before 31 January 2022 and this report enables the Council to fulfil that requirement.

7. Financial implications

- 7.1 The proposed tax base is estimated to generate £163.651m in 2022/23 based on a 2.99% council tax increase (including a 1% adult social care precept). This sum will be reflected in the 2022/23 budget proposals to be presented to this committee and Budget Council in February 2022.
- 7.2 The total increase in resources from the council tax base in 2022/23 compared to 2021/22 is £7.737m. This is represented by a 1.9% increase in the tax base and 2.99% increase in Council Tax.
- 7.3 The tax base is being set ahead of the proposed Council Tax Reduction Scheme being considered at Full Council on 3 February 2022. Should the changes to the scheme not be agreed the financial impact will be included in the collection fund estimates reported throughout 2022/23 in Targeted Budget Management Reports to this committee.

Name of finance officer consulted: James Hengeveld Date consulted:
12/01/22

8. Legal implications

- 8.1 Under the Local Government Finance Act 1992, the council must determine the Council Tax base applicable to Brighton & Hove. In respect of 2022/23, the base must be determined before 31 January 2022 as required by

regulation 8 of The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

- 8.2 All other references to the legal framework for setting the council tax base are contained within the body of the report.
- 8.3 The calculation of the Council Tax Base is not a function reserved to Full Council by legislation or by local agreement and, as such, it is a matter to be determined by the Policy & Resources Committee.

Name of lawyer consulted: Elizabeth Culbert Date consulted 140122

9. Equalities implications

- 9.1 There are no equalities impacts as a result of agreeing the council tax base.

10. Sustainability implications

- 10.1 None.

Supporting Documentation

Appendices

- 1. Tax base calculation for the whole of Brighton and Hove
- 2. Tax base calculation for enclosure committees and the parish of Rottingdean

Area:-		Brighton and Hove (Whole)								Appendix 1
Band:	A disabled relief reduction	A <40	B 40-52	C 52-68	D 68-88	E 88-120	F 120-160	G 160-320	H >320	Total
Range (£'k):										
1. Number of dwellings on list	0	28,726	29,495	34,619	19,842	11,379	4,671	2,795	205	131,732
2. Estimate of number of dwellings not listed *	0	190	207	114	74	46	3	1	1	636
3. Estimate of number of dwellings listed which will not be in band	0	(26)	(56)	(137)	(105)	(70)	(33)	(34)	(18)	(479)
4. Estimated exempt dwellings	0	(2,780)	(1,546)	(2,738)	(1,117)	(300)	(88)	(90)	(19)	(8,678)
5. Disabled relief dwellings from band above	26	56	137	105	70	33	34	18	0	479
6. Number of chargeable dwellings (sum lines 1 - 5)	26	26,166	28,237	31,963	18,764	11,088	4,587	2,690	169	123,690
7. Single person discounts (25%)	(17)	(15,599)	(11,948)	(9,709)	(4,869)	(2,457)	(879)	(406)	(15)	(45,899)
8. All residents disregarded (50%)	0	(4)	(30)	(46)	(34)	(25)	(28)	(36)	(14)	(217)
9. All but one resident disregarded (25%)	0	(485)	(625)	(616)	(268)	(127)	(31)	(20)	(1)	(2,173)
10. Second Home Job Related (ZERO) (50%)	0	(6)	(2)	(3)	(3)	(1)	0	0	0	(15)
11. Empty Property Premium 100%	0	60	50	27	13	2	1	6	3	162
12. Empty Property Premium 200%	0	5	9	6	2	1	2	1	0	26
13. Empty Property Premium 300%	0	0	1	0	0	0	0	0	0	1
14. Council Tax Reduction (CTR)	0	(4,574)	(3,545)	(2,647)	(760)	(214)	(54)	(13)	0	(11,807)
15. Total number of appropriate percentage discounts	(4.25)	(8,530.00)	(6,633.25)	(5,213.75)	(2,045.75)	(869.00)	(290.50)	(129.50)	(8.00)	(23,724.00)
16. Aggregate of Lines 6+15	21.75	17,636.00	21,603.75	26,749.25	16,718.25	10,219.00	4,296.50	2,560.50	161.00	99,966.00
17. Ratio to Band D	0.5556	0.6667	0.7778	0.8889	1.0000	1.2222	1.4444	1.6667	2.0000	
18. Relevant Amount (Line 16 x Line 17)	12.10	11,757.30	16,802.90	23,777.10	16,718.30	12,489.90	6,206.10	4,267.50	322.00	
May contain minor rounding adjustments.							Aggregate of Relevant Amounts		92,353.20	
							Collection Rate		98.75%	
							Adjustment (contributions in lieu)		5.20	
* This reflects the part year effect of the 789 dwellings forecast to be added by 31 March 2023							ESTIMATED TAXBASE 2022/23		91,204.00	

Tax base calculation for enclosure committees and the parish of Rottingdean

	Royal Crescent	Hanover Crescent	Marine Square	Rottingdean Parish
Number of dwellings on list	25	45	118	1,641
Number of chargeable dwellings	25	44	113	1,615
Total number of appropriate percentage discounts	(2.5)	(5.25)	(24.25)	(204.75)
Aggregate of chargeable dwellings and discounts	22.50	38.75	88.75	1,410.25
Aggregate of Relevant Amounts (Band D equivalent)	30.0	41.6	70.6	1,616.9
Collection Rate	99.00%	99.00%	99.00%	99.00%
TAXBASE	29.7	41.2	69.9	1,600.7

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 92

Subject: Business Rates Retention Forecast 2022/23

Date of meeting: 27 January 2022

Report of: Chief Finance Officer

Contact Officer: Name: James Hengeveld
Tel: 01273 291242
Email: james.hengeveld@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 There is a statutory requirement placed on all business rates collection authorities to calculate the amount of business rates income each authority is likely to receive for the coming year. Business activity in the City changes constantly and creates considerable volatility in business rates income which makes accurate forecasting difficult. The council is also highly reliant on the timeliness of data and decisions from the Valuation Office Agency (VOA) which includes the outcome of business rate appeals.
- 1.2 The Ministry for Levelling Up, Housing & Communities (DLUHC) issued the National Non-Domestic Rates form (NNDR1) for 2022/23 on 17 December 2021, which gathers and reports the estimated business rates expected to be collected by the council next year. The NNDR1 form must be submitted to MHCLG and the Fire Authority by 31 January 2022. To accommodate any updated information becoming available ahead of the deadline, delegated authority to the Chief Finance Officer following consultation with the Chair is requested to agree the final form. Any amendments to the final NNDR1 form will be reflected in the budget report to this committee in February.
- 1.3 In the Autumn Budget 2021 government announced a 50% Retail, Hospitality and Leisure Business Rates Relief Scheme with relief up to a cash cap limit of £110,000 per business.

2. Recommendations

- 2.1 That Committee notes that the amount forecast to be received by the council in 2022/23 from its share of local business rates and section 31 Local Government Act 2003 compensation grants is £71.432m, based on the latest data.
- 2.2 That Committee delegates the agreement of the final business rates forecast and the NNDR1 2021/22 form to the Chief Finance Officer following

consultation with the Chair of this Committee for the reasons given in paragraph 1.2.

3. Context and background information

- 3.1 Business rates are a property tax based on the rateable value (RV) of each non-domestic property which is determined by the Valuation Office Agency (VOA). On 31 December 2021 the RV for Brighton and Hove on the 2017 rating list was £308.903m reflecting changes from new properties, deleted properties and successful appeals.
- 3.2 As with previous rating lists, the 2017 list is subject to an appeals process and a judgement is made on the level of successful appeals that are estimated to reduce the council's business rates income each year.
- 3.3 To calculate the bill for each property on the rating list, a multiplier is applied to the RV. There are two multipliers set nationally: the small business non-domestic multiplier which is used for properties with a RV below £51,000; and the non-domestic multiplier due on properties above this level. The provisional small business non-domestic multiplier for 2022/23 is 49.9p in the pound and the provisional non-domestic multiplier is 51.2p which is frozen since 2021/22.
- 3.4 Certain categories of occupation are entitled to relief against their business rates bill, for example small businesses and charities receive mandatory relief. Local authorities may also provide relief on a discretionary basis for particular types of occupier.
- 3.5 There are certain reductions in business rates income resulting from government announcements on reliefs and multiplier caps. Local authorities will continue to be refunded for the loss in income as a result of these announcements through grant known as section 31(S31) compensation grants. Therefore, the overall resources generated through business rates retention is a combination of business rates income and S31 grants.
- 3.6 The business rates retention scheme has been in place since 2013/14 and currently allows the council to keep 49% of the net amount raised locally with a further 1% going to East Sussex Fire Authority and the remaining 50% being paid to the government.

Business Rates Collection Fund latest position 2021/22

- 3.7 The monitoring of business rates income during 2021/22 is reported to this committee through Targeted Budget Management (TBM) reports. The business rates collection fund is forecast to be in surplus by the end of the year and, after allowing for section 31 compensation grants on retail and nursery relief, government support for the brought forward deficit and the 3 year spread of the 2020/21 deficit, the council is forecasting its share of the surplus to be £0.668m. The surplus will be updated ahead of the 31 January deadline to take into account the most up to date information available in order that the relevant section of the NNDR1 form can be completed. This

will be reported to this committee in both the TBM month 9 and General Fund Revenue Budget reports.

Business Rates estimate for 2022/23

- 3.8 The business rates multipliers have been kept at the same level as 2020/21 and 2021/22. This reduces the level of business rates income to the authority however government will compensate local authorities for the difference to the September RPI rate of 4.9% through the section 31 grant for the multiplier cap. This increase has been included in the projection.
- 3.9 The most significant factor in determining forecasts of future business rates income is the level of successful appeals. Other factors include additions and deletions to the rating list and any significant changes to empty relief and other mandatory and discretionary reliefs. In addition, Covid-19 is adding further uncertainty in forecasting as to the financial impact this will have in the current and future years. As such business rates income can be volatile.

Gross Rates Payable

- 3.10 Based on the 2017 rating list at 31 December 2021, the gross rates payable for 2021/22 are £156.898m. An allowance is made for a change in the gross rates payable to reflect the forecast change in liability from new properties, deleted properties and other changes to rateable value (excluding appeals). It is assumed that there will be 0.8% overall growth in business rates by 31/3/23. This includes developments for Edward Street Quarter, New England Quarter and Nile House, Nile Street.

Small Business Rates Relief (SBRR)

- 3.11 The forecast value of SBRR to be awarded in 2022/23 is £11.978m.

Empty Relief

- 3.12 The level of empty relief awarded is projected at £4.094m. Whilst most empty relief is for 3 or 6 months there are some categories where there is no restriction on the length of award, these include properties with businesses in liquidation and listed buildings.

Discretionary Reliefs funded through section 31 (S31) grants

- 3.13 The Government announced in the Autumn Budget 2021 that it will continue to provide a business rates Retail, Hospitality and Leisure relief scheme giving eligible businesses a 50% relief on rates bills up to £110,000 per business in 2022/23. The value to business ratepayers is estimated to be upto £23.510m subject to confirmation of eligibility.

Estimated Bad Debts

- 3.14 A prudential estimate of the level of business rates that will ultimately be collected is required to ensure the authority does not commit expenditure beyond the level of resources it expects to receive. In this respect, a provision for estimated bad debts is made based on a balanced view of current trends versus expected economic recovery. It is estimated that 1.25% of the net rates payable before the award of retail relief in respect of 2022/23 will ultimately be written off as bad debt amounting to £1.617m.

Appeals

- 3.15 The council also needs to make a judgement on the likely level of successful appeals against the 2017 rating list as this reduces business rates income the council will receive in 2022/23. The Check, Challenge, Appeal process introduced in 2017 is showing lower levels of successful reductions than the national assumptions the council had previously used in forecasts. The council has reduced the anticipated loss from successful appeals by a further £0.500m from the amount previously assumed in the last forecast reported to this committee.
- 3.16 At the end of December 2021 there are 30 outstanding checks and 46 outstanding challenges. There are 50 appeals outstanding from the 2010 rating list.

Overall business rates forecast for 2022/23

- 3.17 The following tables summarises the components of the business rates retention income due to the council:

Brighton & Hove City Council share of business rates	£ million
Brighton & Hove City Council 49% share of non-domestic rating income	-50.070
Section 31 compensation grants from government	-22.807
Tariff Payment (includes section 31 impact from the multiplier cap of £0.121m)	+1.305
Levy payment	+0.140
Total of business rates income retained by the council	-71.432

- 3.18 There is a £0.250m increase in business rates income from the forecast given in the Budget Update report to this committee in December 2021.

4. Analysis and consideration of alternative options

- 4.1 The completion of the NNDR1 form is prescribed in the completion guidance notes from DLUHC.
- 4.2 Business rate multipliers, reliefs and associated compensation grants are determined by Government under statute and cannot be altered by local authorities.

- 4.3 The authority can increase or decrease its estimates of business rate growth and provision for bad debts. However, these must be prudential and based on available evidence and data and are reviewed by the council's Section 151 Chief Finance Officer under Section 25 of the Local Government Act 2003. The estimates in this report have been reviewed and ratified by the Chief Finance Officer accordingly.

5. Community engagement and consultation

- 5.1 The council has a duty to consult representatives of business ratepayers on the council's overall budget and this consultation will take place before the February Policy & Resources Committee. This is achieved by providing information and sharing draft budget proposals with the business community via representative organisations such as the Economic Partnership and Chamber of Commerce.

6. Conclusion

- 6.1 The council has a statutory duty to agree a business rates forecast for 2022/23, set out a forecast surplus or deficit for 2021/22 and submit an NNDR1 form by the 31 January 2022.

7. Financial implications

- 7.1 The forecast business rates income, including section 31 business rates grants, is £0.250m above the earlier forecast used in the Draft Revenue Budget proposals reported to this committee on 2 December 2021. Any changes made to the final NNDR1 form including the council's share of any business rates collection fund deficit or surplus will be included within the budget forecast for 2022/23.

Name of finance officer consulted: James Hengeveld Date consulted: 12/01/22

8. Legal implications

- 8.1 Under Part 2 of the Non-Domestic Rating (Rates Retention) Regulations 2013 (SI 2013/452), the council must determine specified information relating to its business rates forecast and notify the Secretary of State and relevant precepting authorities of the amounts. In respect of the year commencing 1 April 2022, these amounts must be determined by 31 January 2022.
- 8.2 This is not a function reserved to Full Council by legislation or local agreement and it is therefore appropriate for this matter to be decided by Policy & Resources Committee as the calculation of business rates is within its terms of reference.

Name of lawyer consulted: Elizabeth Culbert Date consulted: 12/01/22

9. Equalities implications

9.1 None specific to this report.

10. Sustainability implications

10.1 The changes to business rates reliefs and thresholds could have a beneficial impact on the economic health of the city.

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 93

Subject: Waivers of Contract Standing Orders

Date of meeting: 27 January 2022

Report of: Chief Finance Officer

Contact Officer: Name: Cliff Youngman
Tel: 07701 396941
Email: cliff.youngman@brighton-hove.gov.uk

Ward(s) affected: All

1. Purpose of the report and policy context

- 1.1 The Council's Contract Standing Orders (CSOs) require an annual report be presented to Policy & Resources Committee setting out all waivers authorised under CSO 20.2, 20.3 and 20.4.
- 1.2 This report relates to activity during the financial year 2020/21.

2. Recommendations

- 2.1 That the number and value of waivers authorised pursuant to Contract Standing Order 20 during the financial year 2020/21 be noted.

3. Context and background information

- 3.1 Under CSOs 20.2 and 20.3, Directors have delegated powers to waive CSOs in relation to contracts with an estimated contract value of less than £75,000 and over £75,000 following consultation with the chair of the relevant committee and the Procurement Strategy Manager.
- 3.2 Statistical analysis of waivers approved in the financial year 2020/21 is included at Appendix A and B of this report.
- 3.3 A summary of the number and value of waivers under and over £75,000 for 2020/21 is shown in Table 1 below.

Table 1		
	Number of Waivers	Value of Waivers
Under £75,000	20	£869,564
Over £75,000	31	£14,928,299
Total	51	£15,797,863

- 3.4 The total number and value of waivers has increased from 2019/20. Detailed analysis in appendix A shows the pandemic has had a significant impact and that over £3 million was directly due to the need to stand up new services or cover for a reduction in capacity both in the commissioning directorates and support services. A high proportion of other waivers were also indirectly related to the pandemic or were required for a longer period of time than would otherwise have been the case

4. Analysis and consideration of alternative options

- 4.1 Each waiver decision is taken on its merits taking into account value for money implications, service delivery, business continuity impacts and other critical factors.
- 4.2 The waiver process is periodically audited to provide additional assurance over the process and ensure continuous improvement.
- 4.3 Appendix D explains how waivers can provide the council with a valuable alternative to re-procurement or re-tendering and can contribute to improved value for money.
- 4.4 All waivers are presented to the Members Procurement Advisory Board, following authorisation. This provides a high level of transparency, ensuring decision making is fully scrutinised and the members of the group are able to raise concerns or refer matters in accordance with the terms of reference of the board and their advisory capacity

5. Community engagement and consultation

- 5.1 The Chief Finance Officer has been consulted over the contents of this report. Contract Standing Orders are kept under regular review to ensure they reflect best practice, and that limits and values are proportionate to current contract values.

6. Conclusion

- 6.1 The Procurement Team, working in partnership with service areas, actively maintains a Forward Plan of known or anticipated procurements for three to five years which enables early consideration of procurement options and eliminates some of the need for extensions.
- 6.2 The Corporate Procurement Service continues to promote good procurement practice across the council and is utilising various innovative approaches which are allowed for within CSOs without the need for a waiver e.g. the increase in the use of consortium contracts and frameworks.
- 6.3 The Corporate Procurement Service also continues to promote good practice in contract governance across the council while also actively investigating and working with services areas to achieve improvement.

7. Financial implications

- 7.1 Used judiciously, the use of the waiver function can support the council in achieving best value and efficiencies from its Contract Standing Orders and therefore supports achieving value for money through procurement processes. It should be noted that any direct financial implications for individual waivers are provided and reported accordingly to support each waiver decision made. Waivers are also reported to the Member Procurement Advisory Board for review and the members of the group are able to raise concerns or refer matters in accordance with the terms of reference of the board and their advisory capacity.

Nigel Manvell

Date: 06/12/21

8. Legal implications

- 8.1 The requirements of the relevant CSOs are set out in the body of the report. Legal implications are provided in reports relating to waivers concerning contracts with an estimated value of over £75,000.

Alice Rowland:

Date consulted 21/12/21

9. Equalities implications

- 9.1 There are no direct equalities implications in this report; it should be noted that full equalities implications would be required within each report supporting a waiver decision in respect of a contract estimated to be over £75,000.

10. Sustainability implications

- 10.1 There are no direct implications in this report, and it should be noted that full sustainability implications would be required within each report supporting a waiver decision in respect of a contract estimated to be over £75,000.

11. Other Implications

Social Value and procurement implications

- 11.1 All waivers are completed in consultation with the requesting service and the Procurement Team. Where relevant and applicable, requirements for inclusion of Social Value and Sustainability will be applied to the contract.

Crime & disorder implications:

- 11.2 There are no direct Crime and Disorder implications

Public health implications:

- 11.3 There are no direct implications in this report.

Supporting Documentation

1. Appendices [delete if not applicable]

1. Appendix A - Analysis by Reason - for Period 1/4/20 to 31/3/21
2. Appendix B - Analysis by Directorate - for Period 1/4/20 to 31/3/21
3. Appendix C - Explanation of the Waiver Process

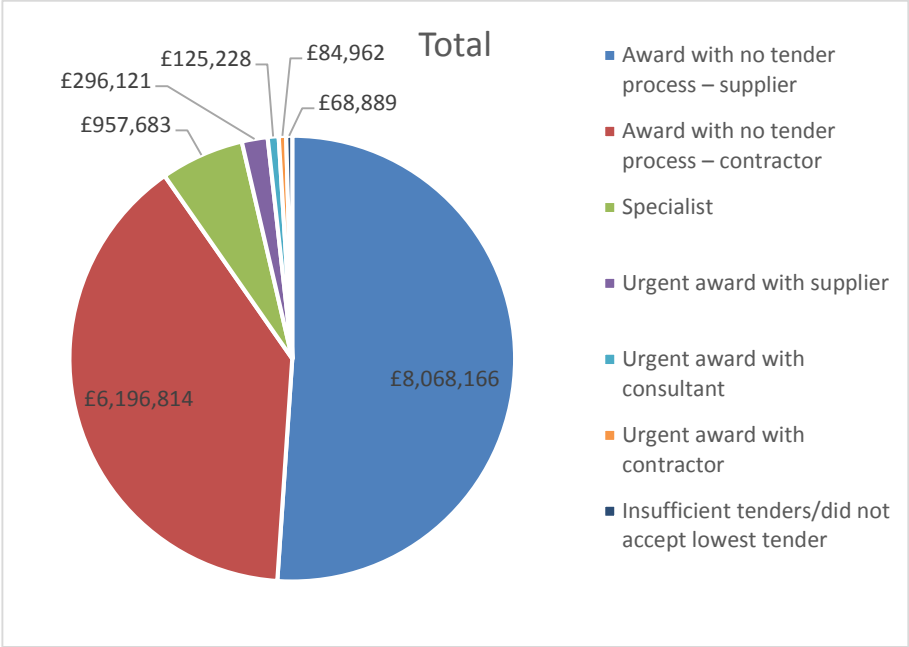
2. Background documents [delete if not applicable]

1. None

Appendix A: Analysis by Reason for Period 01/04/2020 to 31/03/2021

Sum of Value by Reason Type

Row Labels	2021 Total by Reason Code
Award with no tender process – supplier	£8,068,166
Award with no tender process – contractor	£6,196,814
Specialist	£957,683
Urgent award with supplier	£296,121
Urgent award with consultant	£125,228
Urgent award with contractor	£84,962
Insufficient tenders/did not accept lowest tender	£68,889
Grand Total	£15,797,863



Detail by Reason Type

Award with no tender process – supplier (£8,068,166)

ID	CSO	Project Title	Waiver Reason	Value	Directorate	Service	Authorisation	Cllr over £75k
CP327	12	Future Repairs - contract for MCM, MSP, PDAs and account management services	4	£824,000.00	Housing, Neighbourhoods & Communities	Housing	Pinaki Ghoshal	Cllr Williams
CP328	12	Future Repairs - contract for the ordering and supply of materials	4	£2,200,000.00	Housing, Neighbourhoods & Communities	Housing	Pinaki Ghoshal	Cllr Williams
CP329	12	Future Repairs - contract for the supply and maintenance of vehicles	4	£450,000.00	Housing, Neighbourhoods & Communities	Housing	Pinaki Ghoshal	Cllr Williams
CP331	11	Home Safety Equipment Scheme	4	£54,000.00	Health & Adult Social Care	Public Health	Rob Persey	
CP332	11	Peer to Peer Support	4	£50,000.00	Health & Adult Social Care	Public Health	Rob Persey	
CP333	12	Sustrans Bike it Project	4	£100,000.00	Health & Adult Social Care	Public Health	Rob Persey	Cllr Clare Moonan
CP334	12	Diversiory Activities for Young People involved in misusing substances/poor sexual health	4	£100,000.00	Health & Adult Social Care	Public Health	Rob Persey	Cllr Clare Moonan
CP335	12	Charity Link Project	4	£76,000.00	Health & Adult Social Care	Adult Social Care	Rob Persey	Cllr Williams
CP336	11	Public Health and Wellbeing Resources Service	4	£40,000.00	Health & Adult Social Care	Public Health	Rob Persey	
CP338	11	Adult Night Stop	4	£36,000.00	Health & Adult Social Care	Adult Social Care	Pinaki Ghoshal	
CP339	12	No First Night Out	4	£375,000.00	Health & Adult Social Care	Adult Social Care	Rob Persey	Cllr Williams
CP340	12	Out of Hours Repairs Call Centre Service	4	£38,115.00	Housing, Neighbourhoods & Communities	Housing	Pinaki Ghoshal	
CP343	11	Cancer Awareness	4	£50,000.00	Health & Adult Social Care	Public Health	Rob Persey	
CP344	11	Impulse Education IT System	4	£57,000.00	Finance & Resources	IT & Digital	Nigel Manvel	
CP345	12	Housing Asset Management Software	4	£138,920.00	Housing, Neighbourhoods & Communities	Housing	Pinaki Ghoshal	Cllr Williams
CP348	11	Choice Based Lettings and Home Move (Locata)	4	£30,000.00	Housing, Neighbourhoods & Communities	Housing	Pinaki Ghoshal	
CP349	12	Street Outreach Service	4	£375,012.54	Health & Adult Social Care	Adult Social Care	Rob Persey	Cllr Williams
CP350	12	No First Night Out	4	£375,000.00	Health & Adult Social Care	Adult Social Care	Rob Persey	Cllr Williams
CP351	12	Floating Support - Southdown Support	4	£347,834.59	Health & Adult Social Care	Adult Social Care	Rob Persey	Cllr Williams
CP355	12	Telecommunications	4	£198,000.00	Finance & Resources	IT & Digital	Nigel Manvell	Cllr Mac Cafferty
CP356	12	Carelink Support and Maintenance	4	£148,984.00	Health & Adult Social Care	Public Health	Rob Persey	Cllr Nancy Platt
CP357	12	Stop Smoking Service	4	£202,500.00	Health & Adult Social Care	Public Health	Rob Persey	Cllr Sue Shanks
CP358	12	Oral Health Promotion	4	£90,148.00	Health & Adult Social Care	Public Health	Rob Persey	Cllr Sue Shanks
CP359	12	Partners in Change	4	£524,544.00	Families, Children & Learning	Children's Safeguarding & Care	Deb Austin	Cllr Mac Cafferty
CP362	11	Car Park Wi-Fi Communications	4	£35,581.68	Economy Environment & Culture	City Transport	Nick Hibberd	
CP372	11	Car Park Security	4	£36,000.00	Economy Environment & Culture	Parking	Nick Hibberd	
CP373	10	Vernon Gardens Extra Care	4	£72,152.00	Health & Adult Social Care	Adult Social Care	Rob Persey	
CP378	12	Drug and Alcohol Residential Rehabilitation Services	4	£497,443.00	Health & Adult Social Care	Public Health	Rob Persey	Cllr Sue Shanks
CP379	12	Brighton and Hove Link Plus, Contract Carers and Home Sitting Service	4	£320,531.00	Health & Adult Social Care	Adults Social Care	Deb Austin	Cllr Hannah Clare
CP380	12	Inclusive holiday clubs for young people with SEN and disabilities.	4	£225,400.00	Health & Adult Social Care	Adults Social Care	Deb Austin	Cllr Hannah Clare

Award with no tender process – contractor (£6,196,814)

ID	CSO	Project Title	Waiver Reason	Value	Directorate	Service	Authorisation	Cllr over £75k
CP341	12	Approved Contractors	3	£5,800,000.00	Housing, Neighbourhoods & Communities	Housing	Pinaki Ghoshal	Cllr Williams
CP347	12	Additional Voluntary Contributions Scheme	3	£90,000.00	Finance & Resources	Human Resources & Organisational Development	Alison Mcmanamon	Cllr Nancy Platt
CP354	11	Sustrans Bike IT Officer	3	£54,479.00	Economy Environment & Culture	City Transport	N/A	
CP360	12	Housing Repairs and Maintenance - contractor for electrical rewires to empty homes	3	£75,000.00	Housing, Neighbourhoods & Communities	Housing	Rachel Sharpe	
CP361	12	London Road Car Park Barriers	3	£177,335.10	Economy Environment & Culture	City Transport	Nick Hibberd	Cllr Amy Heley

Specialist (£957,683)

ID	CSO	Project Title	Waiver Reason	Value	Directorate	Service	Authorisation	Cllr over £75k
CP363	11	High Risk Offenders Accommodation	5	£60,000.00	Health & Adult Social Care	Adult Social Care	Rob Persey	
CP364	12	The Portal RISE	5	£378,746.00	Housing, Neighbourhoods & Communities	Safer Communities	Rachel Sharpe	Cllr Steph Powell
CP365	12	Talking Therapies	5	£195,000.00	Housing, Neighbourhoods & Communities	Safer Communities	Rachel Sharpe	Cllr Steph Powell
CP366	12	Talking Therapies	5	£140,680.00	Housing, Neighbourhoods & Communities	Safer Communities	Rachel Sharpe	Cllr Steph Powell
CP367	12	Talking Therapies	5	£183,257.20	Housing, Neighbourhoods & Communities	Safer Communities	Rachel Sharpe	Cllr Steph Powell

Urgent award with supplier (£296,121)

ID	CSO	Project Title	Waiver Reason	Value	Directorate	Service	Authorisation	Cllr over £75k
CP342	12	Vehicle Trackers	8	£48,300.00	Housing, Neighbourhoods & Communities	Housing	Pinaki Ghoshal	
CP346	12	Excess Deaths	8	£41,407.00	Finance & Resources	Finance	Rob Persey	Cllr Nancy Platt
CP352	12	Purchase of a Toploader	8	£47,450.00	Economy Environment & Culture	City Environment	Nick Hibberd	
CP369	12	Cranmead Extra 5 beds	8	£143,964.00	Health & Adult Social Care	Adult Social Care	Rob Persey	
CP375	10	Sussex Nightstop for 16- 25 year olds	8	£15,000.00	Health & Adult Social Care	Adults Social Care	Rob Persey	

Urgent award with consultant (£125,228)

ID	CSO	Project Title	Waiver Reason	Value	Directorate	Service	Authorisation	Cllr over £75k
CP353	12	Modelling support to the Sussex Covid data and modelling cell	6	£75,000.00	Health & Adult Social Care	Public Health	Alistair Hill	
CP370	11	The Dance Space Project Manager	6	£38,480.00	Economy Environment & Culture	Development & Regeneration	Nick Hibberd	
CP371	10	Madeira Terrace 2021 Inspection	6	£11,748.16	Economy Environment & Culture	Property & Design	Nick Hibberd	

Urgent award with contractor (£84,962)

ID	CSO	Project Title	Waiver Reason	Value	Directorate	Service	Authorisation	Cllr over £75k
CP337	11	Homelessness Prevention	7	£38,000.00	Health & Adult Social Care	Adult Social Care	Pinaki Ghoshal	
CP374	11	New Steine Mews – Essential maintenance to ensure Covid secure	7	£46,962.00	Health & Adult Social Care	Adults Social Care	Rob Persey	

Insufficient tenders/did not accept lowest tender (£68,889)

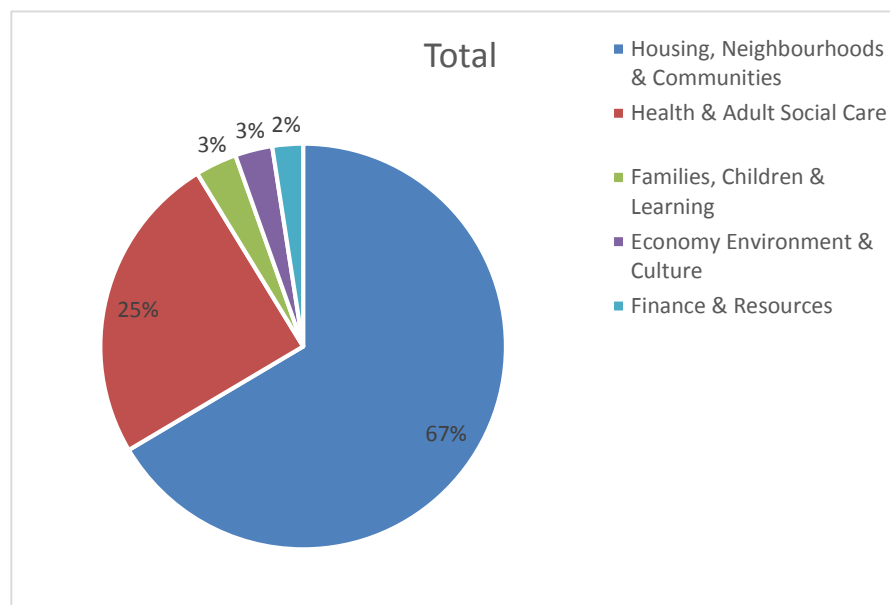
ID	CSO	Project Title	Waiver Reason	Value	Directorate	Service	Authorisation	Cllr over £75k
CP368	11	New England House refurb for PPE Hub	1	£68,889.14	Economy Environment & Culture	Property & Design	Nick Hibberd	

Appendix B - Analysis by Directorate - for Period 1/4/20 to 31/3/21

Sum of Value by Directorate

2021

Row Labels	Total by Directorate
Housing, Neighbourhoods & Communities	£10,502,018
Health & Adult Social Care	£3,914,931
Families, Children & Learning	£524,544
Economy Environment & Culture	£469,963
Finance & Resources	£386,407
Grand Total	£15,797,863



Detail by Directorate

Housing, Neighbourhoods & Communities (£10,502,018)

ID	CSO	Project Title	Report Analysis Reason	Waiver Reason	Value	Service	Authorisation	Cllr over £75k
CP341	12	Approved Contractors	Award with no tender process – contractor	3	£5,800,000.00	Housing	Pinaki Ghoshal	Cllr Williams
CP328	12	Future Repairs - contract for the ordering and supply of materials	Award with no tender process – supplier	4	£2,200,000.00	Housing	Pinaki Ghoshal	Cllr Williams
CP327	12	Future Repairs - contract for MCM, MSP, PDAs and account management services	Award with no tender process – supplier	4	£824,000.00	Housing	Pinaki Ghoshal	Cllr Williams

CP329	12	Future Repairs - contract for the supply and maintenance of vehicles	Award with no tender process – supplier	4	£450,000.00	Housing	Pinaki Ghoshal	Cllr Williams
CP364	12	The Portal RISE	Specialist	5	£378,746.00	Safer Communities	Rachel Sharpe	Cllr Steph Powell
CP365	12	Talking Therapies	Specialist	5	£195,000.00	Safer Communities	Rachel Sharpe	Cllr Steph Powell
CP367	12	Talking Therapies	Specialist	5	£183,257.20	Safer Communities	Rachel Sharpe	Cllr Steph Powell
CP366	12	Talking Therapies	Specialist	5	£140,680.00	Safer Communities	Rachel Sharpe	Cllr Steph Powell
CP345	12	Housing Asset Management Software	Award with no tender process – supplier	4	£138,920.00	Housing	Pinaki Ghoshal	Cllr Williams
CP360	12	Housing Repairs and Maintenance - contractor for electrical rewires to empty homes.	Award with no tender process – contractor	3	£75,000.00	Housing	Rachel Sharpe	
CP342	12	Vehicle Trackers	Urgent award with supplier	8	£48,300.00	Housing	Pinaki Ghoshal	
CP340	12	Out of Hours Repairs Call Centre Service	Award with no tender process – supplier	4	£38,115.00	Housing	Pinaki Ghoshal	
CP348	11	Choice Based Lettings and Home Move (Locata)	Award with no tender process – supplier	4	£30,000.00	Housing	Pinaki Ghoshal	

Health & Adult Social Care (£3,914,931)

ID	CSO	Project Title	Report Analysis Reason	Waiver Reason	Value	Service	Authorisation	Cllr over £75k
CP378	12	Drug and Alcohol Residential Rehabilitation Services	Award with no tender process – supplier	4	£497,443.00	Public Health	Rob Persey	Cllr Sue Shanks
CP349	12	Street Outreach Service	Award with no tender process – supplier	4	£375,012.54	Adult Social Care	Rob Persey	Cllr Williams
CP339	12	No First Night Out	Award with no tender process – supplier	4	£375,000.00	Adult Social Care	Rob Persey	Cllr Williams
CP350	12	No First Night Out	Award with no tender process – supplier	4	£375,000.00	Adult Social Care	Rob Persey	Cllr Williams
CP351	12	Floating Support - Southdown Support	Award with no tender process – supplier	4	£347,834.59	Adult Social Care	Rob Persey	Cllr Williams
CP379	12	Brighton and Hove Link Plus, Contract Carers and Home Sitting Service	Award with no tender process – supplier	4	£320,531.00	Adults Social Care	Deb Austin	Cllr Hannah Clare
CP380	12	Inclusive holiday clubs for young people with SEN and disabilities.	Award with no tender process – supplier	4	£225,400.00	Adults Social Care	Deb Austin	Cllr Hannah Clare
CP357	12	Stop Smoking Service	Award with no tender process – supplier	4	£202,500.00	Public Health	Rob Persey	Cllr Sue Shanks
CP356	12	Carelink Support and Maintenance	Award with no tender process – supplier	4	£148,984.00	Public Health	Rob Persey	Cllr Nancy Platt
CP369	12	Cranmead Extra 5 beds	Urgent award with supplier	8	£143,964.00	Adult Social Care	Rob Persey	
CP333	12	Sustrans Bike it Project	Award with no tender process – supplier	4	£100,000.00	Public Health	Rob Persey	Cllr Clare Moonan

CP334	12	Diversions Activities for Young People involved in misusing substances/poor sexual health	Award with no tender process – supplier	4	£100,000.00	Public Health	Rob Persey	Cllr Clare Moonan
CP358	12	Oral Health Promotion	Award with no tender process – supplier	4	£90,148.00	Public Health	Rob Persey	Cllr Sue Shanks
CP335	12	Charity Link Project	Award with no tender process – supplier	4	£76,000.00	Adult Social Care	Rob Persey	Cllr Williams
CP353	12	Modelling support to the Sussex Covid data and modelling cell	Urgent award with consultant	6	£75,000.00	Public Health	Alistair Hill	
CP373	10	Vernon Gardens Extra Care	Award with no tender process – supplier	4	£72,152.00	Adult Social Care	Rob Persey	
CP363	11	High Risk Offenders Accommodation	Specialist	5	£60,000.00	Adult Social Care	Rob Persey	
CP331	11	Home Safety Equipment Scheme	Award with no tender process – supplier	4	£54,000.00	Public Health	Rob Persey	
CP332	11	Peer to Peer Support	Award with no tender process – supplier	4	£50,000.00	Public Health	Rob Persey	
CP343	11	Cancer Awareness	Award with no tender process – supplier	4	£50,000.00	Public Health	Rob Persey	
CP374	11	New Steine Mews – Essential maintenance to ensure Covid secure	Urgent award with contractor	7	£46,962.00	Adults Social Care	Rob Persey	
CP336	11	Public Health and Wellbeing Resources Service	Award with no tender process – supplier	4	£40,000.00	Public Health	Rob Persey	
CP337	11	Homelessness Prevention	Urgent award with contractor	7	£38,000.00	Adult Social Care	Pinaki Ghoshal	
CP338	11	Adult Night Stop	Award with no tender process – supplier	4	£36,000.00	Adult Social Care	Pinaki Ghoshal	
CP375	10	Sussex Nightstop for 16- 25 year olds	Urgent award with supplier	8	£15,000.00	Adults Social Care	Rob Persey	

Families, Children & Learning (£524,544)

ID	CSO	Project Title	Report Analysis Reason	Waiver Reason	Value	Service	Authorisation	Cllr over £75k
CP359	12	Partners in Change	Award with no tender process – supplier	4	£524,544.00	Children's Safeguarding & Care	Deb Austin	Cllr Mac Cafferty

Economy Environment & Culture (£469,963)

ID	CSO	Project Title	Report Analysis Reason	Waiver Reason	Value	Service	Authorisation	Cllr over £75k
CP361	12	London Road Car Park Barriers	Award with no tender process – contractor	3	£177,335.10	City Transport	Nick Hibberd	Cllr Amy Heley
CP368	11	New England House refurb for PPE Hub	Insufficient tenders/did not accept lowest tender	1	£68,889.14	Property & Design	Nick Hibberd	
CP354	11	Sustrans Bike IT Officer	Award with no tender process – contractor	3	£54,479.00	City Transport	N/A	

CP352	12	Purchase of a Toploader	Urgent award with supplier	8	£47,450.00	City Environment	Nick Hibberd	
CP370	11	The Dance Space Project Manager	Urgent award with consultant	6	£38,480.00	Development & Regeneration	Nick Hibberd	
CP372	11	Car Park Security	Award with no tender process – supplier	4	£36,000.00	Parking	Nick Hibberd	
CP362	11	Car Park Wi-Fi Communications	Award with no tender process – supplier	4	£35,581.68	City Transport	Nick Hibberd	
CP371	10	Madeira Terrace 2021 Inspection	Urgent award with consultant	6	£11,748.16	Property & Design	Nick Hibberd	

Finance & Resources (£386,407)

ID	CSO	Project Title	Report Analysis Reason	Waiver Reason	Value	Service	Authorisation	Cllr over £75k
CP355	12	Telecommunications	Award with no tender process – supplier	4	£198,000.00	IT & Digital	Nigel Manvell	Cllr Phélim Mac Cafferty
CP347	12	Additional Voluntary Contributions Scheme	Award with no tender process – contractor	3	£90,000.00	Human Resources & Organisational Development	Alison Mcmanamon	Cllr Nancy Platt
CP344	11	Impulse Education IT System	Award with no tender process – supplier	4	£57,000.00	IT & Digital	Nigel Manvel	
CP346	12	Excess Deaths	Urgent award with supplier	8	£41,407.00	Finance	Rob Persey	Cllr Nancy Platt

Waivers – When do we use them and why

The use of the waiver function is an important facility that, when used appropriately, allows the council to achieve best value and efficiencies from its Contract Standing Orders and therefore supports achieving value for money through procurement processes

Under CSOs 20.3 & 20.4, Directors have delegated powers to waive CSOs in relation to contracts with an estimated contract value of less than £75,000 and over £75,000 following consultation with the chair of the relevant committee and the Head of Procurement.

The Corporate Procurement Team continually promotes best procurement practice across the council and utilises various innovative approaches which are allowed for within CSOs and without the need for a waiver e.g. increasing the use of consortium contracts and frameworks. The authority currently has circa £90 million of annual spend procured through collaborative arrangements. As part of this process, it is sometimes necessary to provide for short term extensions to existing contracts, which allows alignment with joint or regional procurements.

The introduction of a Procurement pipeline (Forward Plan) some years back provided advanced insight into the needs of service areas throughout the authority. The aim of the Forward Plan is to provide early intervention from Procurement, Legal and Finance with the ultimate aim of significantly reducing the need to authorise Waivers. The Forward Plan has brought about a number of improvements within the authority.

Primarily, it has served to improve the level of compliance to Contract Standing Orders but in addition it has created a significant increase in the level of procurement activity as spend data has identified areas of non-compliance and compelled services to prioritise capacity to procure services.

Additionally, it is often the case that national and local policy and financial changes require alternative action to be taken. Services such as Social Care, Homelessness, Public Health and Family, Children & Learning are constantly evolving which necessitates service reviews, re-designs and re-commissioning, often meaning that waivers are a sensible option to extend current service contracts to allow these processes, including appropriate consultation, to take place.

Occasionally an emergency will dictate the need for a waiver. This can happen, for example, where vital equipment unexpectedly fails a safety inspection and a repair is either not possible or would not be economically viable. A prolonged tender process would leave the authority without a service and therefore a waiver enables continuity of service.

There are a number of Waivers raised for specialist services or staff where the market may be extremely restricted and as such a Waiver process is deemed to be the most effective and efficient method of award.

Each Waiver is populated with reason codes which allows statistical analysis of requests. These are:

1. Insufficient Tenders / Did not accept lowest bid
2. Award with no tender process – Consultant
3. Award with no tender process – Contractor
4. Award with no tender process – Supplier
5. Specialist
6. Urgent award – Consultant

7. Urgent award – Contractor
8. Urgent award – Supplier
9. Other

A stringent process of approvals is required for a Waiver request to be accepted (especially in excess of £75,000). The description / business case will include a confirmation that value for money has been considered, and an explanation of how the waiver provides best value. It will also explain how the waiver contract sum has been calculated, and break down contract values for each supplier covered by the waiver.

Proposed savings through using a waiver should be included; this will be on the basis that as no Procurement process is undertaken a provider should pass on any financial benefit in the contract value

The requestor will consult with the relevant Procurement Business Partner who will provide the Procurement implications.

Financial and Legal implications will be completed by the relevant officers. Once this is complete, the Executive Director for the relevant service will consult with the Lead Member prior to authorising. Only when this entire process is complete will the Head of Procurement authorise award of contract.

Subject:		Procurement of Arboricultural Services	
Date of Meeting:		27th January, 2022	
Report of:		Nick Hibberd	
Contact Officer:	Name:	Peter Small	Tel: 01273 294805
	Email:	Peter.small@brighton-hove.gov.uk	
Ward(s) affected:		All	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report seeks approval for the tendering of Services Contracts for the provision of arboricultural services to the Council.
- 1.2 The Services Contracts will replace the current contract with Connick Tree Services Limited which will expire in June 2022.
The contracts will be procured in the form of two (2) separate lots (see clause 3.7 below) using an Open Tender procedure.

2. RECOMMENDATIONS:

That the Committee:

- 2.1 Approves the procurement of a Services Contract for Arboricultural Services (taking the form of two (2) separate lots) for a contract term of three (3) years with the option exercisable by the council to extend for 1 or more periods up to a maximum total extension period of two (2) years.
- 2.2 Grants delegated authority to the Executive Director - Economy Environment & Culture
- (i) to carry out the procurement of the Services Contract referred to in 2.1 above including the award and letting of the Services Contract;
and
- (ii) to grant an extension to the Services Contract referred to in 2.1 above for 1 or more periods up to a maximum total extension period of two (2) years.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The current Arboricultural Services contract has run for six (6) years and largely performed well. However, the volume of work has increased significantly over recent years as more tree work is required for the Council to meet its statutory duty of care and combat tree diseases new and old.

- 3.2 The demands of the continued annual fight against Elm Disease to preserve the National Elm Collection in the city have increased in recent years. Each summer the disease becomes active and elm trees that are infected, succumb very quickly requiring immediate removal to slow/stop the progression of the pathogen across the city. The disease pressure fluctuates year on year, however over the last three (3) year's levels have been very high and infected trees have not been felled quickly enough even with our In-House and Contractor tree surgery teams dedicating their time on this one aspect for months at a time.
- 3.3 Another factor is the diminishment of the BHCC In-House provision for tree work services. This has historically provided much greater capacity than it now does as staff numbers and output have dropped. We are in the process of addressing this issue with the recent appointment of a team leader and a recruitment drive for Arborists is imminent however there is no guarantee that this will yield immediate results in terms of new staff or much improved output. Continued additional reliance on contractor capacity is expected into the next contract term of 3 years.
- 3.4 We have not been able to access enough capacity to fell infected elms during the disease season, through the current contract, and thus have not been able to slow the spread of the disease down. This in turn has had an impact on other work streams with the contractor being diverted from works such as keeping the Highway clear of basal sprouts and hanging branches from the fast-growing elm street trees. Furthermore, less urgent general maintenance works which then become postponed leading to reputational damage for the service or a back log.
- 3.5 BHCC Officer time has been spent letting out elm disease works to other contractors during crisis periods via quotations and comparisons during spikes in the disease pressure. This again has a negative impact on the running of the service whereby valuable time is being used accessing services outside of the Contract, an inefficient and time-consuming task where no contract or service agreements exist.
- 3.6 Moreover, we are moving into an uncertain phase for tree works requirements. The second major tree disease - Ash Dieback is fully established and not controllable. Most ash trees in the UK will die and collapse in the coming years creating a health and safety situation which must be mitigated. Although much of this work (essentially large-scale felling of all ash trees which are in well used areas) will be contracted out to specialist forestry (not Arboricultural) operators, having our Arboricultural Services contract Contractor/s available to contribute is part of the answer given the scale of problem.
- 3.7 An effective Arboricultural service is essential to meet the council's ambition to increase tree cover in the city despite the current issues we are facing in relation to tree disease outlined above. An effective Arboricultural Service will ensure the preservation of the city's existing tree stock in order to ensure the long term health of individual trees by addressing disease and ensuring larger trees remain stable. Addressing tree disease in individual trees, which can ultimately entail removal, is essential to prevent the spread of disease and preserve our tree stock.

- 3.8 Further to this, but outside of this scope of this contract, the council is committed to planting new Trees to replace those lost and increase the overall tree cover in the city. A report to Environment Transport and Sustainability Committee in November 2021 sets out how more than £1.5m is being invested by the council in new tree-planting this year which is made up of grant funding, donations, community fundraising and council funding of £1.2m. The council is also committed to involving communities in devising and delivering the new tree planting schemes.
- 3.9 To address the lack of capacity of the existing contract and to allow greater flex in provision the new procurement will contract with two separate providers for two Lots:
- Lot 1 Trees on Highway Land , Highway owned trees - Street tree pruning and maintenance, disease control;
- Lot 2 Trees on Non-Highway Land, Environment land (parks, cemeteries, and woodland), Housing land (residential land), Policy and Resources (e.g., woodland, farm estates) – maintenance works and disease control
- 3.10 This approach will also limit the number of lots that may be awarded to one (1) tenderer to one (1) in line with Regulation 46 (3) and (4). Dividing the Arboricultural Services contract into two (2) lots means that two smaller contracts will be awarded, rather than one large contract.
- 3.11 The value of the procurement is estimated to be up to £3,000,000 over the proposed maximum term of the contracts of three (3) plus two (2) years; five (5) years in total. This has been based on recent annual spend on the current contract.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 BHCC has always had an in-house provision for tree works. The in-house team has worked alongside the services of the Arboricultural Services Contractor. As in-house capacity has steadily dropped over recent years there has been more reliance, and spend, on the Arboricultural Services contract. More recently the Arboricultural Services Contractor has been required to carry out more labour intensive and technically difficult jobs due to their higher staffing figures and capacity for more complicated tree works.
5. BHCC Arboricultural Team are working to build back up the in-house capacity for tree works of all types. A team leader has been appointed to lead the planned expansion of the inhouse workforce. Currently our pay scales for tree surgeons are not comparable with the private sector, or other authorities and we are struggling to attract staff. Subject to staff and union consultation we intend to introduce a revised grading scheme next financial year which should enable us to attract suitable staff to the team.

6. COMMUNITY ENGAGEMENT & CONSULTATION

- 6.1 Given the Statutory nature of much of the work and the risk management in public access areas, public consultation has not been considered.
- 6.2 The proposed procurement of Arboricultural Services for the Council was reviewed at the BHCC Procurement Advisory Board meeting on 29th November 2021. Recommendations from the board meeting related only to producing a more concise report for committee with no other issues or concerns raised about the proposals, as explained within this report.
- 6.3 The council is committed to good communication with residents where tree removal is essential and to community engagement and involvement in relation to tree planting and replacement programmes.

6. CONCLUSION

- 6.1 The procurement of Arboricultural Services for the Council is required to ensure the BHCC tree stock is adequately maintained to meet statutory obligations and the duty of care owed to the public as well as to protect the National Elm Collection.
- 6.2 Owing to recent increases in tree disease pressure (i.e. elm disease and ash dieback), the impact of these on other work streams/service delivery and also limited in-house provision for tree works, the proposed procurement will be for two (2) separate contracts across two (2) separate service providers in the form of two (2) lots.
- 6.3 This will divide the Council's tree works into Highway trees (lot 1) and all other trees under BHCC ownership (lot 2) thus providing greater capacity to deal with fluctuating disease pressure affecting all BHCC tree stock whilst progressing other work streams such as proactive maintenance and reactive/emergency works.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The current year's budget for Arboricultural Services Contracts is £0.888m consisting of £0.148m permanent budget plus £0.600m one-off funding and £0.140m brought forward from 2020/21. Pressure funding has been bid for as part of the 2022/23 budget setting process and the costs of this contract will need to be managed within the approved budget from 2022/23 onwards. Any significant variations to budget will be reported as part of the council's monthly budget monitoring process.

Finance Officer Consulted: John Lack

Date: 07/12/21

Legal Implications:

- 7.2 The Environment, Transport & Sustainability Committee is the appropriate committee for the recommendations set out in paragraph 2 above in accordance with Part 4 of the council's constitution. In order to comply with the Contract

Standing Order 3.1, authority to enter into contracts in excess of £500,000 must be obtained from the relevant Committee.

- 7.3 The council's Legal officers will advise on the procurement process to ensure that the council complies with all relevant public procurement legislation as well as the council's Contract Standing Orders (CSOs).

Lawyer Consulted:

Name Barbara Hurwood

Date: 07/12/2021

Equalities Implications:

- 7.4 None

Sustainability Implications:

- 7.5 The following sustainability requirements are included in the contract specification:
- i. Vegetable based chain oil for chainsaws (not synthetic)
 - ii. Use of electric power tools wherever suitable
 - iii. Use of unpowered pruning tools (i.e. hand saws) where work specification allows
 - iv. Use of electric vehicles where available
 - v. Utilisation of chippings for Council grounds maintenance (weed suppression) to reduce transportation emissions around city and use of herbicide
 - vi. Storage of Contractor chippings from other contract work in the city, for Council use, to reduce transport emissions
 - vii. Provision to modify elm burn site (Waterhall) license to process infected elm timber on site and use for biomass (i.e. not to burn on site as has occurred to date)
- 7.6 Bidders will be required to submit a scored Sustainability method statement with their bid submission detailing how it will deliver Sustainability outputs over the course of the contract. During the contract term, the BHCC Contract Manager will monitor progress and actual deliverables against targets detailed in the method statement.

Brexit Implications:

- 7.7 None

Any Other Significant Implications:

Crime & Disorder Implications:

- 7.8 None

Risk and Opportunity Management Implications:

- 7.9 Additional resource required to manage two contractors however growth in the Council's Arboricultural Officer team over the last 2 years will assist with this.
- 7.10 Some tree works maybe problematic to divide between the 2 contractors where ownership boundaries for the relevant BHCC departments bisect trees which would traditionally be worked on together as one job. This will be identified in advance and included in the specification.
- 7.11 Elm Disease work is unpredictable and disease pressure could reduce significantly in the future which would be of benefit for the Council but could cause problems for any successful contractors in terms of a sharp drop off in workflow during elm disease season. An explanation of how the contract value has been calculated is to be included in the tender documents so that any bidder is clear from the outset the possible fluctuations in demand.

Public Health Implications:

- 7.12 None

Corporate / Citywide Implications:

- 7.13 Reputational profile of the Council is linked to this proposal given trees are an emotive issue and generally regarded as valuable assets. Duty of care/liability issues given the nature and inherent risks of managing a large tree stock in urban/public access areas.

SUPPORTING DOCUMENTATION

Appendices: None

- 1.
- 2.

Background Documents

- 1.
- 2.

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 95

Subject: Life Events Fees and Charges review for Registration Services and Local Land Charges 2022/23

Date of meeting: 27 January 2022

Report of: Executive Lead Officer for Governance, People & Resources

Contact Officer: Name: Paul Holloway

Email: paul.holloway@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of report and policy context

- 1.1 This report sets out the proposed fees and charges for the financial year 2021/2022 for Registration Services and Local and Charges within Life Events, in Governance, People & Resources (GP&R)

2. Recommendations:

- 2.1 That the Committee approves the fees and charges set out at Appendix 1 of the report.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove City Council adopted a Corporate Fees & Charges Policy in 2008. The main aims of the policy were to ensure that:

- Fees and charges are reviewed at least annually including consideration of potential new sources of income;
- Fees and charges are set after comparing with 'statistical nearest neighbours' (or other relevant comparator groups) and taking into account market, legal and other contextual information;
- Unless set by a statute, fees and charges are set to recover full costs, including central overheads and capital financing, to ensure that services maximise potential for income generation from the services offered.
- Subsidies and concessions are not applied unless approved by members;
- The impact on financial inclusion is considered when setting fee levels.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Due to the ongoing pandemic, for Registration Services, this year's proposals look to consolidate changes to the service offer over the last 20 months, when various government restrictions have been in place at different times affecting the numbers allowed to attend ceremonies. Changes have included suspension of all ceremonies when deemed necessary by the government, based on the local situation in relation to the pandemic. For Local Land Charges, the fluctuating property market has remained buoyant, with various government incentives available up to September 2021, helping to maintain the level of new property purchases. Thought is always given to service costs remaining competitive with near neighbour service providers in both service areas, where we have been able to obtain reliable information.
- 4.2 The Registration Service proposals aim to maximise potential of Brighton & Hove's unique reputation as a city by the sea and fully embrace the scope of a modern Registration Service. Our customers will often want to secure a ceremony booking well in advance and this frequently means a booking is not in the current financial year. With this in mind, the service proposes advanced fee settings, to charge appropriate fees reflecting a realistic charge for services at the time it is delivered. Currently, fees are taken at the time of the booking, and are charged at the rate applicable on the day of the booking, and remain in place irrespective of when the ceremony is going to take place. A number of our Local Authority Registrations Services currently set advanced fees in this way. Please see Appendix 3. All proposals acknowledge the local market in relation to business levels both prior to the pandemic, as well as projected future demand for services based on the current situation. This is heavily influenced by our Registration Service continuing to adapt, to deliver services in a safe Covid19 environment. Prior to the pandemic, there was a drop in demand for notices of marriages and civil partnerships. Demand has risen as restrictions have gradually been lifted and the service continues to recover well, having also encountered pressures on provision of the statutory elements of the service, including birth and death registrations. New legislative changes to death registration processes continue to enable death registrations by telephone. Birth Registrations have been subject to suspensions at different times, resulting in a backlog that the service has successfully managed through the difficult pandemic period. Income levels for statutory certificates continue to be lower following government increases to certificate costs 2019. This resulted in a large drop in the purchasing of birth and death certificates, at the time of a registration, and has not recovered. For the Local Land Charges service, demand for searches has been consistent, apart from an initial lockdown period. The local property market has indicated that despite the pandemic, levels of purchases have remained relatively stable with previous years in terms of no's of searches coming into the service.
- 4.3 Analysis does suggest there is an opportunity to increase certain non-statutory charges, having reviewed latest benchmarking information held

for neighbouring local authority registration service providers, whilst remaining competitive. Similarly, there are proposals to maximise income through increasing Local Land Charges property search fees.

- 4.4 All non – statutory fees and charges have been reviewed, and the proposals ensure we continue to maintain cost recovery and maximise income for the services offered. It is however, not within our power to increase statutory fees, where budget pressures have previously arisen.
- 4.5 Consultation with the General Register Office (GRO) and Local Land Charges Institute (LLCI) has previously established there is not a legal obligation to consult with members of the public about non-statutory fees, as the Local Authority should have its own policies for fee setting against services it provides. Brighton & Hove City Council adopted a Charges and Fees setting policy in 2008.
- 4.6 A further review of fees and charges may be carried out during the financial year 2022/23 for both service areas.
- 4.7 Where fees and charges increases are proposed, the additional revenue will help support any continued loss of income due to the significant drop off in the take up of additional birth and death certificates. The drop has been a national trend over the last 2 years, since the government increased the cost of a birth certificate and a death certificate, from £4.00 to £11.00 per certificate. As the service continues to recover and adapt to working differently in Covid 19 safe risk assessed environment, it is anticipated the fees and charges increases proposed, will generate an additional £14,000 for the Registration Service in 2022/23. In Local Land Charges, proposals will generate a further £24,000 if the property market continues to flow, and current business levels remain consistent.
- 4.8 Appendix 1 contains a table of the main Registration Service fees, and shows where fees are proposed to be increased over and above the standard annual inflationary uplift. Appendix 2 shows Local Land Charges fee increase proposals.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Registration Services continues to work with customers and community groups, including multi-faith groups. Engagement with the General Register Office, alongside benchmarking information from other service providers, enables these realistic proposals to be put before members accompanied by Local Land Charges proposed increases. Our LLC service contributes to the Local Land Charges Institute discussions about business levels, including charges for services in each area.

6. CONCLUSION

- 6.1 A full assessment of services provided, along with unit costings for every service and product, has ensured these proposals cover costs and are set realistically, and competitively. Attention is paid to charges made by other service providers, and where possible, comparisons are made on like for like services. In the hope that customers are persuaded to choose the Brighton & Hove Registration service. In the same way, our accurate, reliable and fast turn-around times for property search information will we anticipate, see our services retained by local solicitors, when requiring property search information.

7. FINANCIAL

7.1 Financial Implications:

The fees and charges recommended in this report have been reviewed in line with the Corporate Fees & Charges Policy. A corporate inflation rate of 1.5% has been applied to income targets for fees and charges in 2022/23 and the expected income generation stated in section 4.7 of this report is over and above that level. This expected level of income supports savings proposed by the service as part of the budget setting process and will be incorporated within the revenue budget report to Policy & Resources Committee and Budget Council in January and February 2022 respectively.

Finance Officer Consulted: Peter Francis

Date:

06/01/2022

8. Legal Implications:

- 8.1 This report relates to non-statutory fees and charges. The proposed changes in discretionary fees comply with legal requirements and guidance, including where national legislation requires fees to be set on a cost recovery basis.

Lawyer Consulted:

Elizabeth Culbert

Date: 06/01/22

9. Equalities Implications:

- 9.1 An Equalities Impact Assessment screening has been undertaken. The screening has highlighted that no specific minority group is disproportionately affected by increases, with options being available for customers on low incomes.

10. Sustainability Implications:

None

11. Other Implications:

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See the report template – there is Social Value, Crime and Disorder or Public Health - delete any that are not applicable

SUPPORTING DOCUMENTATION

Appendices:

1. Fees schedule for Registration Service
2. Advanced fees setting proposals for the Registration Service
3. Fee schedule for Local Land Charges

Documents in Members' Rooms

None

Background Documents

None

Report to Policy & Resources Committee: Fees and Charges in Life Events.

Appendix 1 - Registration Services: proposed fees and charges 2022-23 and benchmarking

MARRIAGE AND CIVIL PARTNERSHIP FEES

Brighton Town Hall

The fees below are for statutory ceremonies (marriages and civil partnerships).
 Although the type of ceremony is statutory (marriage or civil partnership) the fees are set locally.
 We pay a room hire charge for each use of the Council Chamber
 We pay a larger room hire fee to the Mayor's Parlour and Old Police Cells for each use.
 Fees are inclusive of room hire and registrars (2 staff for Regency Suite and 3 staff for Council Chamber)
 Ceremony slots are 45 minutes for the Regency Suite, 1 hour for MP & OPC & 1.5 hours for CC
COVID-19 information. All Regency Suite ceremonies now 60 minutes to allow for ventilation and sanitisation of room between ceremonies. All other BTH ceremonies 90 minutes. This schedule to continue into 2022.

Service	What is charged for	Fee 2021/22	Proposed Fee 2022/23	Percentage increase/decrease
Regency Suite Fitzherbert Room capacity 10 & Regency Room Capacity 50 (FHR & RR) COVID-19 all ceremonies in RR to allow social distancing max 32 attendees as per RA	Monday to Thursday	£193	£203	5%
	Friday	£293	£308	5%
	Saturday & Sunday	£423	£448	6%
	Bank Holiday	£548	£573	5%
Council Chamber Capacity 120 attendees (CC) COVID-19 max attendees 64 to allow social distancing as per RA	Monday to Thursday	£523	£588	11%
	Friday	£598	£628	5%
	Saturday & Sunday	£648	£683	5%
	Bank Holiday	£698	£728	4%
Mayors Parlour & Old Police Cells Capacity 30 (MP & OPC) Registrar fees excluding venue hire	Monday to Thursday	£223	£238	6%
	Friday	£298	£313	5%
	Saturday & Sunday	£448	£473	6%
	Bank Holiday	£538	£568	6%

Approved Premises

Approved Premises fees are for the attendance of 2 registrars at an authorised venue for a marriage or civil partnership. The venue charges their own separate fees for their services.

Ceremonies are booked for a 2 hour slot which allows for travel between venues.

COVID-19 Last year we kept fee rises at <2% due to the impact on hospitality venues.

Service	What is charged for	Fee 2021/22	Proposed Fee 2022/23	Percentage increase/decrease
Approved Venues	Monday to Thursday	£498	£523	5%
	Friday	£548	£573	5%
	Saturday & Sunday	£558	£588	5%
	Bank Holiday	£648	£648	0%

NON-STATUTORY CEREMONY FEES

Non-statutory, or discretionary, ceremonies and services are provided under the Wellbeing Powers of the Local Government Act 2003. These are additional, often complimentary services that may be provided locally, allowing fees to be charged to cover the costs of provision and generate income for the Local Authority. Non-statutory ceremonies are subject to VAT

A bespoke script is created for each ceremony and the ceremony is led by a registrar acting in the capacity of celebrant.

Fees need to remain competitive against neighbouring districts and independent celebrants.

COVID-19 there may be future increased demand for 'happy ever after'/renewal of vows ceremonies for those who married with restricted numbers during COVID and wish to have a ceremony to include everyone.

Service	What is charged for	Fee 2021/22	Proposed fee for 2022/23	Percentage increase/decrease
Regency Suite	Monday to Friday	£250	£275	10%
	Saturday & Sunday	£450	£475	7%
	Bank Holiday	£500	£550	10%
Council Chamber	Monday to Friday	£500	£550	10%
	Saturday & Sunday	£600	£650	8%
	Bank Holiday	£750	£750	0%
Approved Venues	Monday to Friday	£350	£375	7%
	Saturday & Sunday	£400	£425	6%
	Bank Holiday	£500	£500	0%

Private Citizenship Ceremonies

All new British Citizens are required to attend a naturalisation ceremony.

Brighton and Hove offers one group ceremony per month which takes place in the Council Chamber and is attended by the Mayor or the Lord Lieutenant or a Deputy or other dignitary.

A fee of £80 is included in the fees paid to the Home Office at the time of application. This is remitted to the local authority once the citizen has attended a ceremony.

Private ceremony on demand for an additional fee if more flexible option required by citizen. These are the fees shown below. Propose no increase. Review mid-year.

COVID-19 Currently offering 1 group day per month on a Tuesday (12 attendees x 5 in a day = 60) To be reviewed in March with a view to restoring larger ceremonies in the Council Chamber (30 attendees with a guest permitted to attend. One ceremony am one pm).

Private ceremonies offered on other Tuesdays (15 minutes per slot, up to 20 in a day) at additional fee as below. We propose to keep the fee at the current level for Tuesdays to ensure sustained appeal to use this option. We propose to introduce a new fee for weekdays other than Tuesday.

Service	What is charged for	Fee 2021/22	Proposed Fee 2022/23	Percentage increase/decrease
Private Citizenship Ceremonies: Town Hall	Tuesday only	£100	£100	0%
	Other week day (new fee)	£150	£150	0%
	Family Monday - Friday	£200	£200	0%
	Weekend	£300	£300	0%
	A/P Monday to Sunday	£500	£500	0%

Additional Fees

The fees below are 'add-ons' for special services.

The premium appointment fee applies specifically to Notice of Marriage and Civil Partnership outside of service opening times, usually on a Saturday. The evening ceremony fee also applies to later ceremonies outside usual service times (5pm onwards).

Cancellation fees apply to appointments and ceremonies and are published in our terms and conditions

Pre-ceremony meetings are optional for couples who wish to have a meeting to discuss their ceremony in detail with one of our ceremony team.

The ceremony amendment fee is for a postponement or change of day to a ceremony booking.

All fees are subject to VAT

Service	What is charged for	Fee 2021/22	Proposed Fee 2022/23	Percentage increase/decrease
Extra Fees	Premium Appointment fee	£15	£15	0%
	Evening ceremony supplement (5pm onwards)	£150	£160	7%
	Notice Appointment Cancellation Charge	£35	£35	0%
	Pre-ceremony meeting Monday to Friday	£50	£50	0%
	Pre-ceremony meeting Saturday	£100	£100	0%
	Ceremony amendment fee	£50	£60	20%
	Non-refundable ceremony booking fee	£150	£160	7%

Approved Premises Licensing

Approved premises have to be licensed for a minimum of 3 years and a renewal must be applied for in good time to ensure the license doesn't lapse.

We have 33 Approved Premises including the Royal Pavilion, The Pier, i360, AMEX Stadium, Bandstand amongst many other venues and hotels.

COVID-19. On renewal next licence will run for 4 years rather than 3 as venues have lost a years' worth of business on their current licence.

Fees levels 'sense-checked' and amended as successive % increases have skewed differentials. BHCC licence fees are high compared to other districts, many of whom have a flat rate with no extra room charges. Some offer reduced rate for renewal compared to first licence.

It may be worth considering a reduction to support current venues and encourage new ones to be licenced. Venue fees in Brighton and Hove are high compared to many other registration districts, including London boroughs.

It may also be worth considering a reduced rate based on capacity to increase the take-up from smaller independent venues (e.g. a venue with only one licenced room capacity 30 or less).

Service	What is charged for	Fee 2021/22	Proposed Fee 2022/23	Percentage increase/decrease
Venue Licensing Fees	One Room	£1820	£1900	4%
	Two Rooms	£2250	£2300	2%
	Three Rooms	£2680	£2700	1%
	Additional Rooms	£300	£400	33%
	Licence Amendment Fee	£50	£75	50%

Statutory and fixed fees

Statutory services are enshrined in law and administered according to the regulations set out in the Births and Deaths Registration Act 1953, the Marriage Act 1949 and the Civil Partnership (Registration Provisions) Regulations 2005, The Nationality, Immigration and Asylum Act 2002 and the British Nationality (General) Regulations 2003.

Statutory fees are set nationally by Fees Order and agreed by parliament.

We are not aware of any forthcoming changes to statutory fees

Service	What is charged for	Fee 2021-22	Assumed Fee 2022-23	% +/-	Statutory Yes/No
Preliminaries for Marriages & Civil Partnerships	Enter notice of marriage/civil partnership	£35.00	£35.00	0%	Yes
	Statutory Referral Fee	£24.00	£24.00	0%	Yes
Marriage/CP	Statutory RO M/CP 1 p/w	£46.00	£46.00	0%	Yes
	CP Conversion	£45.00	£45.00	0%	Yes
	CP Conversion (part 2)	£27.00	£27.00	0%	Yes
General Register Office: Statutory Fees	Space 17	£40.00	£40.00	0%	Yes
	Waiver	£20.00*	£20.00*	0%	Yes
	Local FD Consideration	£50.00	£50.00	0%	Yes
	GRO FD Consideration	£28.00*	£28.00*	0%	Yes
	Local Authorised Correction	£75.00	£75.00	0%	Yes
	GRO Authorised Correction	£32.00*	£32.00*	0%	Yes
	Registrar's General Licence	£15.00	£15.00	0%	Yes

Certificates	Certificate inc. 2 nd Class postage	£11.00	£11.00	0%	Yes
	Priority certificate inc 1 st Class postage	£35.00	£35.00	0%	Yes
	Overseas P&P	£8.00	£8.00	0%	Yes
	Special Delivery P&P	£10.00	£10.00	0%	Yes

Citizenship Ceremony	Group Ceremony 1 p/month	£80.00	£80.00	0%	Yes*
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* Fee payable to LA (after remittance to GRO)

* Fee paid direct by Home office after ceremony has taken place

Retail Items

Service	What is charged for	Fee 2020/21	Proposed Fee 2021/22	Percentage increase/decrease
Retail Items	Bubble Blowers	£1.00	£1.00	0%
	Confetti	£3.00	£2.50	-17%
	Birth Wallets	£3.00	£3.00	0%
	Wedcast	£50.00	£50.00	0%
	Paper Fan	£2.00	£2.00	0%
	Commemorative Certificate	£5.00	£5.00	0%

BENCHMARKING SERB REGION

CURRENT FEES 2021-22	Decomissioned Room						
	Mon - Thurs	Fri	Sat	Sun	BHol	Booking fee?	What Do You Include in the Fee Quoted to the Customer
Bracknell Forest	£500	£610	£610	£670	£670	No	Ceremony only
Brighton & Hove	£193	£293	£423	£423	£548	No	2 x statutory certificates and a commemorative certificate (£27 in addition to fees listed here)
Buckinghamshire	£345	£345	£345	£495	£495	No	Fees listed = ceremony + 2 certificates auto included Short ceremony with 10 guests only available at £235, restricted timeslots Monday-Thursday
East Sussex	£155 - £375	£280 - £500	£280 - £500	£320 - £500	£445 - £625	No	2 x Statutory Certificates & 1 Commemorative Certificate - can be removed from price if requested
Hampshire	£176 - £277	£211 - £473	£293 - £545	£293 - £591	£591.00	£71	ceremony fee, booking fee and 2 x certs
Isle of Wight	£140	£140	£140			£45	Able to rearrange booking once at no charge, personalised ceremony.
Kent	£340 - £870	£340 - £870	£485 - £1140	£485 - £1140	£485 - £1140	£75	Fee quoted is inclusive of booking fee 1 x Commemorative certificate
Medway	£252	£252	£302	£302	£302	£57	Ceremonial certificate
Oxfordshire	£325	£325	£600	£665	£665	£150	includes 1 certificate, a commemorative certificate and attendance of 2 registrars and use of room
Portsmouth	£290	£340	£390			£70	We explain the breakdown i.e. £70 booking fee, £35 each notice then fee for ceremony & 1 certificate

Reading	£162	£270	£270	£490	£490	No	Ceremony and use of room only
Slough	£173	£200	£300	£500	£500	No	
Southampton	£138 - £233	£158 - £323	£188 - £373	£493	£493	£60	The booking fee is in addition to the ceremony fee and is non refundable (unless within 14 days cooling off)
Surrey	£300	£330	£420	£420	£480	£100	Registrars attendance, use of the room / gardens. The booking fee is included in the ceremony fee.
West Berkshire	£255	£255	£285			£25	1 certificate
West Sussex	£217 - £455	£280 - £826	£310 - £904	£310 - £904	£404 - £981	£100	1 certificate and non refundable deposit (ie. booking fee)
Windsor & Maidenhead	£258	£309	£309	£494	£608	£100	Comm cert, telephone talk-through with DSR
Wokingham	£165	£288	£329	£329	£475		
Average Cost	£279.83	£329.75	£393.58	£528.10	£574.27		
Highest Cost	£345.00	£345.00	£600.00	£665.00	£665.00		
Lowest Cost	£140.00	£140.00	£140.00	£302.00	£302.00		

Fees for 2021/22	Approved Venue (excluding certificates)				
	Mon - Thurs	Fri	Sat	Sun	BHol
Bracknell Forest	£500	£610	£610	£670	£670
Brighton & Hove	£498	£548	£558	£558	£648
Buckinghamshire	£620	£620	£620	£670	£670
East Sussex	£545	£595	£595	£595	£645
Hampshire	£410	£484	£566	£602	£602
Isle of Wight	£475	£510	£535	£560	£560
Kent	£595	£595	£785	£785	£785
Medway	£542	£542	£642	£642	£642
Oxfordshire	£630	£630	£630	£665	£665
Portsmouth	£480	£510	£575	£675	£675
Reading	£395	£455	£455	£490	£490
Slough	£462	£462	£535	£700	£700
Southampton	£368	£458	£518	£568	£568
Surrey	£500	£540	£595	£645	£645
West Berkshire	£455	£455	£485	£555	£555
West Sussex	£455	£505	£618	£618	£682
Windsor & Maidenhead	£547	£607	£607	£673	£673
Wokingham	£455	£535	£535	£607	£607
Average Cost	£496.22	£536.72	£581.33	£626.56	£637.89
Highest Cost	£630.00	£630.00	£785.00	£785.00	£785.00
Lowest Cost	£368.00	£455.00	£455.00	£490.00	£490.00

Policy & Resources Committee: Fees and charges in Life Events
Appendix 2 – Registration Services: advance fee setting proposal

Fees Projection 2022-25	2021-22 fee	2022-23	+/-	2023-24	+/-	2024-25	+/-
Regency Suite Monday to Thursday	£193	£203	5%	£213	5%	£223	5%
Regency Suite Friday	£293	£308	5%	£323	5%	£338	5%
Regency Suite Weekend	£423	£448	6%	£468	4%	£493	5%
Regency Suite Bank Holiday	£548	£573	5%	£603	5%	£633	5%
Approved Venues Monday to Thursday	£498	£523	5%	£548	5%	£573	5%
Approved Venues Friday	£548	£573	5%	£603	5%	£633	5%
Approved Venues Weekend	£558	£588	5%	£618	5%	£653	5%
Approved Venues Bank Holiday	£648	£648	0%	£683	5%	£718	5%
Council Chamber Monday to Thursday	£523	£588	11%	£618	5%	£648	5%
Council Chamber Friday	£598	£628	5%	£668	6%	£693	4%
Council Chamber Weekend	£648	£683	5%	£718	5%	£753	5%
Council Chamber Bank Holiday	£698	£728	4%	£768	5%	£808	5%
Evening Ceremony Supplement Fee	£150	£160	7%	£170	6%	£175	3%
Ceremony Administration Fee *VAT SR rate*	£125	£133.33	7%	£141.66	6%	£145.83	3%
Ceremony Amendment Fee *VAT SR rate*	£41.66	£50	20%				
Approved Premises Licence (1 room)	£1,820	£1,900	4%	£1995	5%		
Approved Premises Licence (2 rooms)	£2,250	£2,300	2%	£2415	5%		
Approved Premises Licence (3 rooms)	£2,680	£2,700	1%	£2835	5%		
Approved Premises Licence (ad. rooms)	£300	£400	33%	£420	5%		
Approved Premises Licence amendment fee *VAT SR rate*	£41.66	£62.50	50%	£83.33	33%		

Policy & Resources Committee: Fees and charges in Life Events
Appendix 2 – Registration Services: advance fee setting proposal

Advertised Fees	2021-22 fee	2022-23	2023-24	2024-25
Regency Suite Monday to Thursday	£220	£230	£240	£250
Regency Suite Friday	£320	£335	£350	£365
Regency Suite Weekend	£450	£475	£495	£520
Regency Suite Bank Holiday	£575	£600	£630	£660
Approved Venues Monday to Thursday	£525	£550	£575	£600
Approved Venues Friday	£575	£600	£630	£660
Approved Venues Weekend	£585	£615	£645	£680
Approved Venues Bank Holiday	£675	£675	£710	£745
Council Chamber Monday to Thursday	£550	£615	£645	£675
Council Chamber Friday	£625	£655	£695	£720
Council Chamber Weekend	£675	£710	£745	£780
Council Chamber Bank Holiday	£725	£755	£795	£835
Evening Ceremony Supplement Fee	£150	£160	£170	£175
Ceremony Administration Fee *VAT SR rate*	£150	£160	£170	£175
Ceremony Amendment Fee *VAT SR rate*	£50	£60		
Approved Premises Licence (1 room)	£1,820	£1,900	£1,995	
Approved Premises Licence (2 rooms)	£2,250	£2,300	£2,415	
Approved Premises Licence (3 rooms)	£2,680	£2,700	£2,835	
Approved Premises Licence (ad. rooms)	£300	£400	£420	
Approved Premises Licence amendment fee *VAT SR rate*	£50	£75	£100	

Policy & Resources Committee - Fees and charges in Life Events

Appendix 3 - Local Land charge fees proposal for 2022 -23 and benchmarking

	2021-22	2022-23	% increase
Full local authority search (inc LLC1 & Con29R)	£182.10	£191.20	5
LLC1 search only (non VAT able)	£53.50	£56.20	5
Con29R search only (Inc VAT)	£128.60	£135.00	5
Each additional parcel of land (LLC1)(Non VAT able)	£10.70	£11.25	5
Each additional parcel of land (Con29R)	£12.90	£13.55	5
Each printed enquiry (Con290)	£19.20	£20.20	5
Commons registration (question 22)	£19.20	£20.20	5
Each supplementary enquiry	£38.60	£40.50	5

Benchmarking - full local authority search fee 2020

*All London Boroughs charge VAT on a full local authority search fee

Adur	£115.00	Lewes	£113.20
Brent	£320.00	Hillingdon	£125.00
Newham	£163.00	Wandsworth	£76.80
Richmond	£133.00	Ealing	£149.00
Southwar k	£210.20	Hackney	£178.60
Hounslow	£207.00	Bromley	£89.00
Camden	£148.00	Merton	£141.00
Bexley	£110.00	Sutton	£100.00
Redbridge	£179.00	Islington	£135.80
Haringey	£127.00		

Brighton & Hove City Council

Policy and Resources Committee

Agenda Item 96

Subject: Refuse Vehicle Procurement – 5 Year Leasing

Date of meeting: 27th of January 2022

Report of: Executive Director, Environment, Economy and Culture

Contact Officer: **Name:** Ian Greene
Tel: 01273 294707
Email: ian.greene@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 The Councils approach to procurement of fleet is outlined in the Fleet Strategy of 2020. The preferred approach set out in the strategy is to purchase vehicles, rather than hire or lease.
- 1.2 This report seeks permission seeks approval for an alternative approach, which is leasing five Twinpack Vehicles over a five year period. The cost of this to be met within existing budgets.
- 1.3 This report is being presented due to the variance from the strategy and the overall contract value which would be in the region of £1.5m over a 5 year period.

2. Recommendations

- 2.1 That Committee delegates authority to the Executive Director of Environment, Economy and Culture to enter into a leasing contract for the hire of five Twinpack Recycling Vehicles for a period of five years, up to the value of £1.5m

3. Context and background information

- 3.1 The current collection method for Dry Mixed Recycling (DMR) and Glass on residential streets is by using a Twin Pack. A Twin Pack is a Rear Compaction Vehicle (RCV) with two compartments split 70% and 30%. The glass goes into the 30% compartment and DMR goes into the 70% compartment. The glass is very abrasive and causes many mechanical problems as the vehicle ages.
- 3.2 The Fleet section have attempted to refurbish the worn the parts of the older Twin Pack RCVs. This provided temporary relief from repeated breakdowns. However, this only proved to be effective for a short time as the problems have now started reoccurring.

- 3.3 The repeated mechanical failures of the existing older vehicles has had a significant impact on service delivery and leads to missed recycling collections. This also generates frustration amongst the workforce and has been cited in the recent industrial relations dispute as a 'failure of the council to provide adequate tools for staff to do their job'.
- 3.4 It is unlikely that Twin Packs Refuse Collection Vehicles will be required after 2026, as the way glass and DMR will be collected in the future is under review. This is due to the abrasion of glass in this vehicle type, which can lead to more frequent vehicle failure. The Environment Act 2021 will also have an impact on our collection methods although these new requirements are yet to be announced. Therefore, until the collection methods are determined, purchasing new Twin Packs would be imprudent for a vehicle that could be redundant in 2026. Further to this if we were to purchase it would take in the region of 2 years from the decision to delivery of the new vehicles due to the demand and availability for these types of vehicles.
- 3.5 The option to lease vehicles for up to five years is available. To lease five vehicles and replace the 2012 models, the cost is £0.294m per year. In order to reduce the overall cost to the council it is proposed to sell 4 of the 2012 vehicles. One of the 2012 vehicles would be reallocated to Streets for collection of refuse from bins on the beach, improving efficiency by increasing capacity and therefore reducing the frequency of tipping, as the current collection vehicle is a 12 tonne refuse collection vehicle and this would be replaced with a 26 tonne refuse collection vehicle. This would then remove the need to purchase a new 12 tonne twinpack for collections which is estimated at £0.280m. There would also be savings in maintenance costs and fuel costs. The costs and savings are shown below in detail, the estimated net cost being £0.689m.
- 3.6 The vehicles will be leased using an existing procurement framework. Twinpack vehicles are in very high demand nationally and to date we have not been able to identify more than one company that can supply. It is therefore essential that the council moves quickly should it be decided to go ahead with this leasing agreement. The vehicles are currently on spot hire to the council for a one month period.
- 3.7 Twinpack vehicles are currently not manufactured in a non diesel type. The new hire fleet would also be Euro 6 which are more fuel efficient and emit lower emissions than the current Euro 5 engines they will be replacing.
- 3.8 The cost for this would be paid from within the existing Fleet revenue budget by off hiring some vehicles no longer required and generating other efficiencies. Two Twinpacks are currently on hire are at a rate of £5,067 per month each. Moving forward with leasing 5, the current lease would be cancelled and renewed to £4,905 per month each creating a saving of £7,776.00 over the two years for these two vehicles.
- 3.9 The table below sets out the costs and how the full cost would be offset

	Per Annum Year 1 £'000	Per Annum Years 2 to 5 £'000	Total £'000
Expenditure:			
5 x New Leased Twinpack over 5 years:	294	294	1,470
Estimated Income/Savings			
Reduction of Maintenance costs over 5 years	50	50	250
Income from Maintenance of Leased Vehicles	30	30	150
Resale of old Vehicles	80		80
Fuel Saving due to Euro 6 engines	4	4	21
Cost Avoidance of Mini Twinpack for Collections	56	56	280
Total Estimated Income/Savings	220	140	781
Net Cost	74	154	689

4. Analysis and consideration of alternative options

- 4.1 Consideration was given to refurbishment of the existing fleet to electric, but the timeframe for this would be approximately 3 years to complete all five vehicles. Current refurbishment companies do not have the authority to interact with the vehicle operating systems and issues over responsibility of repair can be disputed by the manufacturers. This is likely to lead to vehicles being off the road for longer periods and service disruption.
- 4.2 Purchasing a new fleet would take 24 months from the start of task to the delivery of new vehicles. These vehicles are likely to be redundant in five years also as alternative collection methods are being investigated under the National Waste Strategy regulations.

5. Community engagement and consultation

- 5.1 The trade unions have been consulted and are keen for this to progress in response to concerns raised by their members.
- 5.2 This report did not go through Procurement Advisory Board due to the urgency to lease hire vehicles that are in short supply nationally, while they are available.

6. Conclusion

- 6.1 It is recommended that the council enter into a five year lease for five Twinpack Recycling Vehicles, to improve service delivery and industrial relations.

7. Financial implications

- 7.1 The gross cost of leasing these 5 vehicles of £0.294m per annum will be paid through the services vehicle contract hire budget of £0.224m. However, the cost reductions and mitigations as set out in the table in paragraph 3.9 will result in lower costs throughout the Fleet & Maintenance service which should bring the net cost to £0.074m in year 1 and £0.154m in years 2 to 5 per annum. Due to progress made within the Fleet & Maintenance budgets to control and reduce spends, financial year 20/21 resulted in an underspend position and the current years forecast is also expected to be underspent. Any significant variations to budget will be reported as part of the council's monthly budget monitoring process.

Name of finance officer consulted: John Lack Date consulted: 06/01/22

8. Legal implications

- 8.1 The Council is required to comply with the Public Contracts Regulations 2015 in relation to the procurement and award of contracts above the relevant financial thresholds for services, supplies and works. Using a Framework is a compliant route to market. The Council's Contract Standing Orders (CSOs) will also apply to this procurement exercise. CSO 7.5 permits officers to select a supplier without the need for further competition where there is only one supplier capable of fulfilling the requirement.

Name of lawyer consulted: Alice Rowland Date consulted 6.1.22:

9. Equalities implications

- 9.1 Not applicable

10. Sustainability implications

- 10.1 The new vehicles will enable us to improve our recycling service and provide less missed collections.
- 10.2 The Euro 6 engines will improve our fuel efficiencies and help reduce current emissions.

11. Other Implications

Social Value and procurement implications

- 11.1 Improving staff wellbeing by reducing the frustration of not having the tools to do the job which may be leading to staff absences associated with stress and anxiety
- 11.2 Meets the areas of focus from the Councils Corporate Plan in two areas.

- a) A sustainable city- in that leasing now is a stepping stone to becoming carbon neutral by 2030.
 - b) A healthy and caring city – in that will be able to offer the very best quality of service to residents.
- 11.3 Vehicles could carry promotional messages relating to the importance and benefits of recycling and reducing waste.
- 11.4 This should help improve community relations. There can be nothing more frustrating for residents than missed collections due to unreliable vehicles.
- 11.5 The report did not going through PAB because of the urgency to make a decision to lease hire or otherwise lose the opportunity.

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 97

Subject: Arrangements for Council and Committee Meetings

Date of meeting: P&R- 27 January 2022
Council- 3 February 2022

Report of: Executive Director Governance, People and Resources

Contact Officer: Name: Abraham Ghebre-Ghiorghis
Tel: 01273 291500
Email: abraham.ghebre-ghiorghis@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 This report proposes arrangements for holding Council and Committee meetings during the pandemic to minimise the risk to the public, Members and Officers. It is intended to cover the period upto annual Council but may be reviewed before then.

2. Recommendations

- 2.1 That Committee agrees the proposals set out in this report regarding arrangements for Council and committee meetings (except paragraph 3.11 dealing with attendance numbers) and recommends them to Council for approval.
- 2.2 That the Committee agrees option A (14) or option B (40) regarding number of attendees at full Council meetings as set out in paragraph 3.11 and recommend them to full Council for approval.

3. Context and background information

- 3.1 The Covid-19 pandemic, especially the new Omicron variety, continues to pose significant risk to public health and safety. The Council has a duty under the Health & Safety at Work Act 1974 to make sure that the arrangements for the discharge of its functions ensure the health and safety of the public, including Members and Officers. It is therefore necessary to review and keep under review the arrangements for meetings of full Council and Committees and sub-committees.

3.2 Although there have been calls to reintroduce the ability to have Council meetings virtually, the enabling legislation has not been made and it does not seem that such legislation will be made in the near future. The proposals below therefore provide measures to mitigate the risk of infection and enable the Council's business to be transacted in a safe way.

3.2 Venue for meetings: it is proposed to hold full Council meetings at Hove Town Hall for the time being while continuing to explore improvements to Brighton Town Hall. The Brighton Centre will be available for the budget Council meeting on 24th February. We have been able to secure a competitive price with sufficient space for the main meeting and breakout rooms for each of the political groups and the Independents. We will use the centre's facilities and our equipment to hold the meeting and webcast the proceedings reduce costs. However, the centre will not be available for future meetings, especially during the spring and summer season, because of prior bookings. No other suitable alternative venue has been identified.

3.3 Public and Member Engagement Session: this was trialed at the last Council meeting and it is proposed to continue the practice for ordinary Council meetings. The session will take place virtually and no Members will be required to attend in person.

3.3.1 The items of business to be dealt with in the Public and Member engagement session are:

(1) Presentation of petitions (this will not include petitions for debate which will be dealt with in the Council meeting.)

(2) Deputations

(3) Public Questions

(4) Members' Oral questions

3.4 Members will see that these are items that are dealt by the Leader or Chairs of Committees and there is nothing active for other members to do during the engagement session other than to present oral questions. This therefore avoids the need for attendance in person.

3.5 People who present petitions, deputations or questions and Members who ask Oral Questions will be able to do so virtually. In exceptional circumstances, such as when a member of the public has some special need, a facility will be made available for Members or members of the public to present their questions, petitions etc in person via a link at Hove Town Hall which will be relayed via Teams but the Member answering the question or responding to the petition/deputation will not be required to attend in person.

3.6. The public and member engagement sessions are not part of a formal council meeting and the meeting shall not have the status of a local authority or committee meeting for the purposes of the Local Government Act 1972.

3.7 Timings: the following arrangements will be adopted

- the Public and Member engagement session will start at 4:30 PM
- The main Council meeting (with attendance in person) will start at 6:30 PM or after a 30-minute break following the conclusion of the engagement session, whichever is later
- The public engagement sessions will be chaired by the Mayor.

3.7. Petitions for Public Debate

3.7.1 These will be dealt with in the normal way in the main Council meeting. The Mayor has the discretion to arrange debates on related petitions to be taken together or with a related report or Notice Motion. If this happens, the Mayor will have the discretion to modify the restriction on timing or number of speakers.

3.8 Oral Questions from Members

- 3.8.1 In line with the recommendations of the Constitutional Working Group and Group Whips, it is proposed that:
- Members ask their questions briefly (not read out a speech) and that questions are such that they should be on general policy, not requiring specialist knowledge, technical information or require briefings from officers
 - Members answering questions should provide brief answers and not read out text prepared by officers. There will be no officer briefings on oral questions.
 - As a general guide, questions should not take more than a minute to ask and answers should not take longer than 3 minutes.

3.9 Committee reports to Council

- 3.9.1 It is proposed that Committee reports which are for noting or where there is broad consensus are not called. Group Leaders and/or Whips should agree the items be debated in advance so as to reduce the number of items debated and minimize the length of the meeting.
- 3.9.2 Where items are called, the number of speakers should generally be limited to 1 speaker from each group with the Chair introducing the item and responding to the debate before the vote. The Mayor will have the discretion to invite Independent Members to speak but not necessarily on every item.

3.10. Notices of Motion

- 3.10.1 Notices of Motion are either declaratory or, where they require action, they need to be referred to the Committee which debates the motion and makes a decision. It is proposed that as many of the NOMs as possible are “passported” to the relevant committee to leave, as an indicative target, one Notice of Motion per group to be debated at full Council. The number of speakers is proposed to be restricted to 1 per group. The Committee to whom a NOM is referred will have full authority to make a decision on it to the extent that the matter is not by law reserved to full Council. The member who moved the motion will be invited to the relevant committee to present the motion.

3.10.2 When a Notice of Motion is passed to a Committee, it shall be deemed to have been moved and seconded and there shall be no requirement for a member of the Committee to move or second the motion.

3.11. Attendance- numbers

3.11.1 For the budget Council meeting on 24 February, we are anticipating a full attendance of all 54 Councillors. For other full Council meetings, Members are recommended to consider reduced attendance. Reduced attendance can only be implemented by voluntary agreement. If there is no agreement, each Member and each group will have to decide for themselves. Given the restriction on available seating and lack of suitable alternative venues, Members are recommended to adopt options A or B from the following options:

A. Minimum attendance to meet the requirement for a quorum

The quorum for full Council meetings is 14. If the 14 seats were allocated proportionately to the Groups and the Independents, the party split would be:

Greens:	5
Labour:	4
Conservative:	3
Independents:	2

B. Reduction to accommodate 40 Members in the main Chamber- This would mean about 40 Members attending in the main chamber with no members in the public gallery. If this were agreed, the party split would be:

Greens:	15
Labour:	11
Conservative:	10
Independents:	4

C. Reduction to 46 with 6 Members sitting in the public gallery-We have had an update from security that, if Members are to be seated in the public gallery alongside members of the public, they would have concern. There are also complications on the selection of members and suitability of the seating area. Relocating the seating for the press may release 2 seats on the ground floor, but it would still be not very convenient. If this option were adopted, the proportional party split would be:

Greens 17
Labour: 13,
Conservatives: 11
Independents 5.

D. Full Attendance

It would be possible to provide seating for all members with the minimum social distancing and screening provided. But this is an option that is not recommended.

3.12. Wearing of Masks and LFT

3.12.1 In line with recommendations of the officer working Group, it is proposed that all attending Council meetings should wear masks and that all Member and Officers attending should confirm with Dem Services that they have

taken LFT. Suitable masks will be made available for Members and emergency supply for members of the public.

3.13. COMMITTEE MEETINGS

3.13.1 There are a number of committee meetings taking place over the following months and it is proposed that Committee Chairs, following consultation with opposition spokespersons and Officers are encouraged and authorized to adopt the following proposals.

3.13.2 Reduce items coming the Committee: reports coming to committee should be essential business and, unless there is good reason, reports for information or noting should generally be avoided.

3.33.3 Engagement sessions: If none of the reports coming before the committee require an actual decision, Members should consider, instead, holding a virtual engagement session. Where this is agreed, it is important to note that the meeting will not have the status of a committee meeting and it should not be described as such. It will be an engagement session with members of the committee attending virtually.

3.33.4. A mixed arrangement: Members could agree to take the public engagement items that do not require a decision (public and member questions) and items for information only in an engagement session before the main meeting limiting the in-person attendance to matters that require decisions or are required by law to be considered by the Committee.

3.33.5. Limiting speakers: it is proposed that on matters debated at the main meeting, the number of speakers be generally limited to one per group.

3.33.6. Decision-making process for the above: It is proposed that the above arrangements, if applied, are agreed by the Chair following consultation with opposition spokespersons and advice from officers. Where the Chair so decides, it may involve moving the whole meeting to an engagement session or transferring some items of business to the engagement session to be dealt with virtually.

3.33.7 It should be noted that any matter that requires a decision or is required by law to be considered by full Council or a Committee cannot be dealt with at the engagement session and has to be discussed at the in person meeting of Council or Committee.

3.34. Enhanced Officer Delegations

3.34 Given the increased risk and the need to minimise the length of meetings, it is proposed to introduce an enhanced officer delegations scheme. The delegated powers will be in addition to existing normal and urgency powers and are exercisable after consulting the Chair and Opposition spokespersons in each committee. This requires P&R approval and a separate report on the matter is on the agenda. In summary, the proposals are as follows:

(1) Subject to first consulting with relevant Group Spokespersons, Executive Directors or Members of ELT with delegated powers shall have enhanced delegated authority to make decisions on all matters related to their

area of responsibility. This is in line with government advice and reflects the need to reduce the duration of meetings.

(2) To facilitate consultation with members of all groups, such consultation may take place during committee pre-meetings, or separately if necessary.

(3) To comply with legal requirements such delegation shall be unfettered and, although the Officer is required to consult with Group Spokespersons on the issue of whether delegated powers should be used and the merits of the proposed action, he/she shall not be obliged to follow the views of the consultees on the substantive decision.

3.35: Duration and status of protocol

3.35 1 The above proposals, once agreed, will form the binding protocol for Council and Committee meetings. The Council's Standing Orders shall be applied subject to the above modifications to the extent that is necessary. Without prejudice to the powers of the Mayor or relevant Chair to make a ruling at the meeting, the Chief Executive, after consulting the Monitoring Officer, shall be authorised to rule on the interpretation and application of the rules where there is ambiguity or disagreement. The ruling of the Chief Executive shall be final.

3.35.2 The Council Procedure Rules shall be applied subject to the modification to reflect the above arrangements.

3.35.2 These arrangements shall remain in force until annual Council but may be modified at any time before then, especially if there is change in the levels of risks posed by the Covid-19 pandemic.

4. Analysis and consideration of alternative options

4.1 The Council has the option of continuing without the special arrangements proposed in this report. But given the level of risk that is not recommended. The option of hiring bigger venues was considered, but these were either not available, or not suitable or too expensive.

5. Analysis and consideration of alternative options

5.1 The Council has the option of continuing without the special arrangements proposed in this report. But given the level of risk that is not recommended. The option of hiring bigger venues was considered, but these were either not available, or not suitable or too expensive.

6. Community engagement and consultation

6.1 Given the nature of the issue (which is mainly about the Council's internal processes) and the limited time, there was no consultation with the public.

7. Conclusion

7.1. For the reasons set out in the report, the proposed measures would be a proportionate way of reducing the risk of infection and protecting the health and safety of Members, staff and the public.

8. Financial implications

- 8.1 There are no material financial implication arising from this report. It is expected that costs arising from the arrangements for the meetings, given that council buildings will be used, will be covered by existing resources.

Name of finance officer consulted: Peter Francis Date consulted
14/01/22

9. Legal implications

- 9.1 The proposals in the report comply with the requirements of the Local Government Act 1972 and the Council's obligation under the Health & Safety at Work Act 1974.

Name of lawyer consulted: Abraham Ghebre-Ghiorghis Date consulted
12/01.2022

10. Equalities implications

- 10.1 There are no adverse equalities implications arising from this report. The ability of the public to present questions, petitions or deputations are preserved. Where any reasonable adjustments are necessary to enable an individual to take part or follow the proceedings, that will be accommodated.

11. Sustainability implications

- 11.1 Enabling matters to be dealt with in the virtual engagement sessions will have a beneficial impact by reducing the need to travel.

12. Public health implications

- 12.1 The proposals will have a positive impact by reducing the likelihood of the spread of infection.

Supporting and Background documents

None

Brighton & Hove City Council

Policy and Resources Committee

Agenda Item 98

Subject: Covid-19 and Decision Making Arrangements

Date of meeting: 27th January 2022

Report of: Executive Director Governance, People & Resources

Contact Officer: Name: Elizabeth Culbert
Tel: 01273 291515
Email: elizabeth.culbert@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 This report proposes arrangements for democratic decision-making over the next 4 months in response to the ongoing Covid-19 pandemic, taking into account the need to preserve democratic accountability and to achieve compliance with legal requirements.

2. Recommendations

- 2.1 That Committee agrees the arrangements for the implementation of enhanced officer delegated powers as set out at paragraph 3.4 of the report to take effect from the date of this meeting.
- 2.2 That Committee notes that the arrangements set out in recommendation 2.1 above will be kept under review and that a report will be brought back to Committee to consider whether the arrangements should be removed or extended in May 2022.

3. Context and background information

- 3.1 In May 2021, this Committee agreed arrangements relating to decision making during the pandemic which sought to balance the requirements for democratic decision making with the ongoing risk of the spread of Covid-19 infection presented by in-person meetings. This was following the lapse of the national Regulations which enabled virtual decision making to take place.
- 3.2 One of the measures put in place was an agreement for use of enhanced delegation to officers. These arrangements were kept under review. This Committee agreed to end the enhanced delegation arrangements from 1st August 2021, prior to the emergence of the Omicron variant.
- 3.3 As the current rates of Covid-19 infection are now high due to the Omicron variant, it is considered necessary to review again the decision making

arrangements and to identify any mitigation that can be put in place to reduce the risk of infection caused by lengthy, in-person meetings.

3.4 It is proposed that;-

- (1) Subject to first consulting with relevant Group Spokespersons, Executive Directors shall have enhanced delegated authority to make decisions on all matters related to their area of responsibility. This is in line with government advice and reflects the objective of reducing the need for and duration of meetings.
- (2) Executive Directors will consult the committee spokesperson from each political group, before exercising their enhanced delegated power. In determining whether to use enhanced officer delegated powers, the Executive Director will consider the views expressed by the committee spokespersons alongside consideration of the service impact, the financial implications and whether the matter is politically sensitive.
- (3) To facilitate consultation with members of all groups, such consultation may take place during committee pre-meetings, or separately if necessary.
- (4) A report will be produced in the usual way for the purpose of consulting members on a matter for decision and, if enhanced officer delegated powers are used, this will be reported for information to Policy & Resources Committee with a copy of the report published for information.

4. Analysis and consideration of alternative options

- 4.1 Where mitigations have been available, these have been implemented, such as the use of screens, the reduction of officer attendance and the management of public engagement sessions. A move to hybrid or fully virtual decision-making meetings would not be lawful. It is considered that reducing the number of items for decision on Committee agendas through the use of enhanced officer delegated powers will help to mitigate significant health and safety concerns.
- 4.2 It is proposed that there should be ongoing monitoring of the situation and if there is change in the law or better practice from elsewhere, we will keep the proposed arrangements under review, seeking member agreement as necessary. In any event, a further report will be brought to Committee in May 2022 to review the arrangements.

5. Community engagement and consultation

- 5.1 Given the short timescales and fast changing picture, it has not been possible to consult with the local community.

6. Conclusion

- 6.1 The proposals set out in the report provide a safe and proportionate way to proceed in view of the ongoing concern regarding Covid-19 infection rates.

7. Financial implications

- 7.1 There are no direct financial implications arising from the recommendations of this report. Any decisions made using enhanced officer delegated powers will be supported with a report that includes financial implications of the decision being made.

Name of finance officer consulted: James Hengeveld Date consulted: 110122

8. Legal implications

- 8.1.1 The legal implications are covered within the body of the report. If there are any developments at national level either in term of legislation or caselaw, we will review them and take any steps necessary to make our arrangements compliant with legal requirements.

Name of lawyer consulted: Elizabeth Culbert Date consulted 060122

9. Equalities implications

- 9.1 The proposals in the report do not impact on the attendance of the public at council meetings. However, there may be a concern regarding transparency of decision making and ensuring that all members of the community are aware of decision that are being taken. Therefore it is proposed that a record of any decision taken under the proposed enhanced officer delegated powers should be published on the Council's website (as happened when these arrangements were previously in force).

10. Sustainability implications

- 10.1 The full impact will depend on the number of decisions that are taken using enhanced officer delegated powers, but there is likely to be a reduction in the length of meetings and the number of meetings which would decrease emissions.

11. Other Implications

Public health implications:

- 11.1 Advice is that the risk of Covid 19 infection will be reduced for all those attending council committee meetings by reducing the frequency and duration of contact with others.

[Insert] Committee

Agenda Item

Brighton & Hove City Council

Subject:	Valley Gardens Phase 3		
Date of Meetings:	18 January 2022: Environment, Transport & Sustainability Committee		
	27 January 2022: Policy & Resources Committee		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Oliver Spratley	Tel: 01273 290 390
	Email:	Oliver.spratley@brighton-hove.gov.uk	
Ward(s) affected:	St Peter's & North Laine, Regency, Queen's Park		

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

- 1.1 The council's adopted City Plan Part 1 (2016) identifies the Valley Gardens corridor as a Special Area (policy SA3). Valley Gardens Phase 3 is also a Local Transport Plan project which will complete the final and southern-most section of a strategic sustainable transport corridor that will contribute towards the council's and city's economic growth, regeneration, planning, public realm, and transport objectives.
- 1.2 This report details the Valley Gardens Phase 3 scheme design progress which has been informed most recently by a third public consultation, and stakeholder engagement meetings. These processes have significantly helped to inform a design review and the detailed design stage of the Phase 3 scheme. The Phase 3 General Highway Arrangement drawing shown in Appendix 1 has been developed in accordance with the projects Core Design Objectives, and significantly improves upon the agreed Preliminary Design (2019) for all transport users. Appendix 2 provides an update on the spend profile now required to deliver the Phase 3 scheme. Appendix 3 details the consultation and stakeholder engagement processes and how and where they have been taken account of in the design.
- 1.3 Further technical design will be completed over the coming months in preparation for procuring the construction contract through a competitive tender framework.
- 1.4 The Valley Gardens Member Working Group (VG-MWG) will continue to have oversight of the remaining technical work.

2. RECOMMENDATIONS:

That the Environment, Transport & Sustainability Committee:

- 2.1 Approves the Valley Gardens Phase 3 detailed design as shown in Appendix 1: General Highway Arrangement Plan.
- 2.2 Notes that the principles and details outlined in this report will help to inform all final technical matters, with regards to this scheme, in preparation for the procurement of a construction contract by officers in line with the decision made by this committee in February 2019 as outlined in paragraph 7.2 of this report.
- 2.3 Authorises that all Traffic Regulation Orders required for Valley Gardens Phase 3 be advertised in accordance with the standard procedure.
- 2.4 Notes the increased budget requirement due to significant delay in delivering Phase 3, additional stakeholder infrastructure commitments, and significant increases in construction costs, as set out in in Appendix 2.
- 2.5 Recommends to Policy & Resources Committee that it approves capital borrowing of up to £5.0m to address estimated increased scheme costs arising from new Department for Transport design guidance; significant increases in construction costs and risk management; additional infrastructure, including for sustainable transport and events; as shown in Appendix 2.

That Policy & Resources Committee:

- 2.1 Approves capital borrowing of up to £5.0m to address estimated increased scheme costs arising from new Department for Transport design guidance; significant increases in construction costs and risk management; additional infrastructure, including for sustainable transport and events; as shown in Appendix 2.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Valley Gardens Phase 3 preliminary scheme design was agreed at the February 2019 meeting of this committee. A further stage of public consultation to inform the detailed design stage of the scheme was committed to, completed, and reported at the March 2021 meeting of this Committee. There has been extensive stakeholder engagement and meetings recommenced in July 2020 and have now completed in December 2021. Appendix 3 details the design responses made to address the third public consultation results, which have informed and resolved detailed design matters as shown in *Appendix 1: General Highway Arrangement Plan*, and as outlined in the body of the report, below.

Active and inclusive travel infrastructure, and managing traffic

- 3.2 'Gear Change: A bold vision for walking and cycling' (2020) is the government's Department for Transport's strategy for active travel, which is technically underpinned by 'Cycle Infrastructure design guidance (LTN1/20)'. LTN1/20 and its associated assessment tools have been used to review options for integrating cycling tracks and direct walking routes for pedestrians.

- 3.3 An active travel focus group involving a broad range of stakeholders has participated in three further workshops to review options from August to October 2021, which has resulted in the bi-directional cycle track option being selected for the Palace Pier Junction.
- 3.4 The Palace Pier Junction detailed design is consistent with the preliminary design insofar as it is a signalised crossroads junction that will be managed by the council's Traffic Control Centre. The current roundabout junction is uncontrolled with a very high incidence rate of collisions and casualties, particularly those involving motorised vehicles and cyclists.
- 3.5 The Palace Pier junction will feature a highly efficient and smart traffic signal system that will support walking and cycling and manage the current high volumes of traffic on this section of the Major Road Network (MRN).
- 3.6 Palace Pier and St James's Street junctions generally record the highest number of casualties and collisions across the city. The design will create a safer environment for all road users and reduce casualties and collisions compared to the current highway layout.
- 3.7 Pedestrian and cycle crossing points at the Palace Pier Junction will be direct, allowing people to cross, walking, wheeling, and cycling in one stage, which improves upon the preliminary design. The new arrangement is also more efficient for traffic movements compared to the preliminary design, which will reduce congestion.
- 3.8 The VG-MWG also agreed that the footway width on the north-west side of the St James's Street Junction has been reviewed in response to stakeholder requests. As a result, the minimum width in this location has been increased to 4.24 metres. This is the maximum width possible to ensure an appropriate traffic lane alignment. Overall, on the eastern side of the scheme (from Edward Street Junction to Manchester Street) there is an increase of footway of approximately 440 m². St James's Street junction design includes the new crossing point on the south side of the junction and the crossing point to the north of the junction is widened.
- 3.9 The computer-based traffic model has been upgraded and used to improve the highway layout which has been updated to reflect contemporary layouts used in highway and regeneration schemes in busy urban areas such as those delivered by Transport for London (TfL).
- 3.10 Traffic modelling simulations have been presented to the Valley Gardens VG-MWG. The Phase 3 scheme presents the most sustainable new highway arrangement, with significant improvements for the walking and cycling experience.
- 3.11 The new cycle track shown in Appendix 1 at Palace Pier will be constructed in reallocated road space, as will much of the new footway. The bi-directional cycle track has been selected to create continuity with the existing cycle track network. The bi-directional track is suitable for all users including tourists and younger people given the design legibility and arrangement. Cyclists will be separated

from general motorised traffic and have direct crossing points at the Palace Pier junction.

- 3.12 Madeira Drive will be retained as one way entry only from the Palace Pier Junction and the new cycling facilities will connect with the Madeira Drive cycle scheme. There will be no exit for general traffic (except cyclists using the cycle track) at the junction at Madeira Drive. This will ensure that the new controlled junction, which will bring significant safety benefits and new capabilities to manage congestion, is as efficient as possible and can manage the current volumes of traffic using the Major Road Network, A259 and A23 at peak times.

Brighton Palace Pier

- 3.13 The public highway area adjacent to Brighton Palace Pier will be maintained to ensure that service vehicles can access and deliver directly to the reinforced weight bearing section on the forecourt. This access is required so that prefabricated sections of the Palace Pier structure can be replaced periodically. Further technical work will be conducted to integrate Hostile Vehicle Mitigation (HVM) at strategic points to protect the seafront. HVM assets can be multi-purpose, formed to function to deflect moving vehicles and as barriers, seating and/or planters. This principle will inform the final selection of HVM with final detail to be considered by the VG-MWG, Heritage officers, and Counter Terrorism Unit. Further stakeholder meetings will be held as required on these matters.

Public Transport

- 3.14 Bus routing has been optimised with two key changes now featuring in the optimised Phase 3 scheme. Firstly, a one-way link eastbound from Castle Square running past the War Memorial on the first short (western) section of St. James's Street. This change will ensure that buses can flow efficiently from North Street or the bus interchange in the south-west corner of Old Steine. South bound buses will now access this interchange area via the bus 'loop'. Secondly, a northbound bus priority lane has been introduced to serve the new northbound bus stop for all Lewes Road Services, located on the north-east side of the War Memorial, on Pavilion Parade. The northbound priority bus lane provides better journey time results than other bus priority options, and therefore, replaces the preliminary south bound lane shown in the earlier plan.
- 3.15 Taxi ranking has been retained. Both the permanent rank by the Royal Albion Hotel and the night-time rank by Revenge will also feature within Phase 3. An additional taxi rank is included in the scheme on the south-west side of the Palace Pier junction for west bound journeys.

Outdoor Event infrastructure

- 3.16 Events stakeholders have been consulted during the development of the scheme. The location of the cycle track in the south-west area of Phase 3 has been realigned to provide space that will be used as footway except for when events operators need to set up and service events. The south, east, and west of the Old Steine Gardens will be accessible for set up and de-rig of events. This will both safeguard the sustainability of events and minimise the time that the

new cycle track will need to be closed - to ensure the safe craning of temporary events structures and storage containers, onto and off the site. During the period of event operation, the southern section of footway between the gardens and cycle track can be used as an enclosed cell for, and managed by, event operators. Event organisers will manage this area as an access point for operational day to day deliveries, while the footway to the west remains open as will the entirety of the cycle track.

- 3.17 Following discussion with UK Power Networks (UKPN), upgrading the high voltage substation located in the Royal Albion Hotel 'moat' is the preferred option to provide sustainable three-phase power for events. Connectivity to the upgraded substation will be trenched across to the Old Steine Gardens and new three-phase power units will be integrated into the site. Furthermore, technical events experts have been consulted who have advised that the best option for event organisers is to select large battery back-up power systems which can feed directly off three-phase power points. All these improvements will completely remove the need to have back up diesel generators on site.
- 3.18 The reorientation of the footways across the gardens will support pedestrian flows, removing severance and the 'traffic island effect' which is consistent with Phases 1 & 2. Footways will be level with new protected lawns to ensure that event operators can continue to accommodate structures in the future (i.e., Brighton Speigeltent). Heritage lighting columns will be refurbished and located in the central area away from the events areas. New lighting systems or furniture will be modular and demountable so that the space remains flexible for events use.
- 3.19 An events turf protection system will be added to the lawned areas of Old Steine Gardens to reduce the impact that events operations and structures have on soil structures whilst in situ. Access to waste-water points will be maintained and potable water access points will be improved where possible.
- 3.20 Additional events infrastructure costed for now includes 3 three-phase power units, upgraded High Voltage substation; trench over to gardens with new cabling, protective lawn system, water access improvements amounting to approximately £365,000, plus the cost of the construction of the new pavement sub-structure for the events access loop in the south-west area of Old Steine.

Landscape design

- 3.21 The principles of the hard landscaping strategy will be informed by those used for Phases 1&2. In particular, the surfaces used in the new public space between the War Memorial and Royal Pavilion will be selected and varied appropriately to mitigate the risk of skateboarding in a sensitive heritage setting. The highest quality materials are not financially viable given the need to limit the overall scheme cost. The VG-MWG, Heritage Officers, the Conservation Advisory Group, Brighton Society, and Regency Society, and the Royal Pavilion Museum Trust will be consulted prior to the final selection of the material specification to be used in construction of the new public spaces.
- 3.22 The new cost spend profile as shown in Appendix 2 accounts for an enhanced Street Furniture & Drainage allowance, and feature lighting.

- 3.23 A significant number of new trees and planters will be added within new public spaces and built-out footways to enhance and protect the pedestrian environment. Trees will also be replanted in some locations where they have been previously lost, such as alongside the War Memorial. Replacement trees will be as mature as possible.

The Brighton War Memorial

- 3.24 The War Memorial is an area managed by City Parks and is not public highway. The War Memorial structures are maintained by the Council. Valley Gardens Phase 3 will significantly improve the heritage asset setting in this central area of the city. Project Officers are continuing to consult on these matters via the VG-MWG, and via Councillors with links to the Mayor's Office, Remembrance Committee, and British Legion.
- 3.25 A conditions survey has recently been completed to help inform the maintenance of the War Memorial and the immediate setting.

Utility upgrades

- 3.26 Access to sustainable power for events and transport is a key outcome of Phase 3. The existing substation located in the Pool Valley area will be upgraded to facilitate three-phase power for events and at other times for electric taxi charging. Electric vehicle rapid charging for buses would require an additional substation which could not be funded by the Valley Gardens Phase 3 budget.
- 3.27 Lighting infrastructure has recently been upgraded and maintained across Old Steine Gardens to support improved night-time safety and for the Winter Markets programme. The funding secured through the recently successful Safer Streets Funding Grant bid will be used and invested to upgrade and future proof the lighting assets and infrastructure across the Phase 3 area including the War Memorial. Lighting in Phase 3 can also have the dual purpose of illuminating appropriate sections of the Royal Pavilion Gardens to support improvements planned across that adjacent site and the new gateway linking with the new Phase 3 public space. This work will be reported to the VG-MWG.

Wayfinding and public art

- 3.28 Wayfinding will broadly be introduced to guide people to their destinations or to the best route depending on the chosen mode of transport. Cyclists will be guided by appropriate signage. Wayfinding Monoliths as used across the central city area will be integrated into the Phase 3 area. Adjacent destinations such as St James's Street and Kemp Town Quarter, and the Eastern Seafront (currently being master planned by BHCC Regeneration) will be clearly signposted.
- 3.29 Community public art projects will be shaped during the construction contract procurement. This will engage young people to design artwork for the construction compound hoardings. The hoardings will also include interpretation boards to explain the construction works. Funding for permanent physical public art (statues or sculptures) is not included within the Phase 3 budget and any such proposal coming forward would require separate funding.

Construction and Circular Economy

- 3.30 Construction plans, such as works timings and temporary traffic management plans will broadly follow the principles of and learn the lessons from Phases 1&2. The first draft of construction phasing has been presented to the VG-MWG. Key principles include;
- Minimise disruption
 - Maintain access as much as possible
 - Minimise construction impacts at peak times
 - Protect the natural environment and the community from the construction activities
 - Clear and advance communication including highly visible signing and local information
- 3.31 Temporary traffic lanes will be introduced so that works can be progressed, and communications will be regularly provided directly to stakeholders and via all council channels of communication to provide advance warning, and a full horizon of programmed construction works.
- 3.32 The construction contract will be procured through a competitive tendering process to ensure value for money and to ensure social value – which will support the aims of the Community Wealth building strategy.
- 3.33 Circular economy (CE) principles which ensure that resources required for asset lifecycles are always repurposed where possible, will help shape the Phase 3 scheme such as those specified and executed for Phases 1&2, which reused kerb stones for loading bays. Where possible resources and materials will be repurposed or reused on site or stored for future project or highway maintenance use.

Significantly enhanced benefits

- 3.34 Following the LTN 1/20 design review and optimisation process and input from the Valley Gardens Active and Inclusive Travel Focus group of stakeholders, a final detailed design junction design has been developed and selected which is consistent with, and improve upon, the preliminary design as shown in Appendix 1. The scheme introduces benefits for all forms of transport by optimising the traffic signal phases, which also benefits pedestrians and cyclists. The Phase 3 detailed design layout therefore reduces congestion and journey times on the A259 eastbound and westbound approaches compared to the preliminary design and current layout in peak time, particularly for eastbound traffic. It is also anticipated that forthcoming secondary legislation will result in local Highway Authorities being able to enforce moving traffic offences. For example, with these new powers, transgressions into 'yellow box' junctions' will be enforceable by the Council by the time the scheme is delivered. Highway Authorities will be expected to use these powers to improve connectivity, boost active travel and increase air quality by reducing congestion.
- 3.35 Further scheme optimisation was integrated into the General Highway Arrangement, based on traffic modelling results. Overall journey times have been significantly improved relative to the original preferred option identified through

the initial options appraisal. This work has resulted in improving the economic case BCR (Benefits cost ratio) for delivering Phase 3 from 1.2 to greater than 2.0 which also accounts for the increased cost spend profile as set out in Appendix 2.

- 3.36 Furthermore, the scheme now features an additional 160 metres of bi-directional cycle track and 110 m of single directional cycle track compared to the original outline preferred option. The scheme is committed to delivering at least 30 and up to 41 new trees and this may be surpassed subject to species selection by the Council's Arboriculture Officers.
- 3.37 The new public spaces will make the city more resilient providing more space to comfortably move across the area unimpeded with the removal of clutter. Furthermore, these improvements will help shape the central area to be a destination as a high quality civic and amenity space.
- 3.38 Valley Gardens Phase 3 will interface with the Royal Pavilion Museum Trust Gardens restoration scheme. Following engagement work it is anticipated that the adjacent project will provide a new gateway on the eastern side of Royal Pavilion Gardens - which will be a key linkage with the new public space between the War Memorial. This new gate will unify the east of the city with the Royal Pavilion and Valley Gardens Phase 3.
- 3.39 The three bus shelters (1950 – styled on the 1930's Old Steine tram shelter) opposite the War memorial, will be decommissioned. These Grade II listed structures were subject to the second Valley Gardens Phase 3 public consultation exercise in 2018. Suggested uses included, tourist information kiosk, café/gallery, and other business and community uses. Early stakeholder engagement, optioneering and feasibility work has commenced to consider feasible future change of uses and to consider how best to conserve the structures in the new public plaza. Separate project resources will be required and any alteration to the structures will also be subject to planning permission and listed building consent.
- 3.40 New segregated cycle tracks will link up with Phases 1 & 2 to complete the bi-directional cycle route to the seafront and link up the National Cycling Network Routes – which will significantly reduce levels of pedestrian-cyclist conflict and provide legible routing for accessible cycling and Bikeshare users, including tourists. The design takes account of existing constraints in this central area such as the location of mature Elm trees.

Benefits Management Plan

- 3.41 The Valley Gardens Phase 3 Benefits Management Plan features in the publicly available Valley Gardens Phase 3 Stage 2 Report, which also outlines the scheme monitoring methodology. These technical processes will be refined as part of the construction contract or carried over and managed by council project officers across three years post-construction completion from 2024.

Review of the Environmental Impacts

- 3.42 The preferred option was assessed in terms of the criteria of an EIA as noted in the *Review of Environmental Impacts* technical note (2019), which is an Appendix to the publicly available Valley Gardens Stage 2 Report, which concluded at that time that no significant negative environmental impacts would result through the delivery of the Phase 3 preliminary design.
- 3.43 The St James's Street Junction and Palace Pier junction design is now optimised for sustainable operation and traffic management/flows, compared to the preliminary design. The Phase 3 scheme will be monitored for three years following construction, commencing 2025 being the first full calendar year after the scheme opens, with year-on-year improvements on air quality anticipated once delivered.
- 3.44 In 2020 a new air quality monitor was installed at the junction of St James's Street which is providing an additional baseline data reference point for current and future Phase 3 air quality monitoring. Monitoring of air quality and noise will be reported to ETS Committee as it is completed throughout the monitoring years. Nitrogen dioxide diffusion tube monitoring will continue for five years after the scheme is implemented as part of local Air Quality Management.
- 3.45 Other transport policy measures will support environmental improvements. Furthermore, new fleet/ engine technology and traffic management capabilities are anticipated to support year on year improvements in terms of air quality and reduction in noise levels.
- 3.46 Modal shift for local trips will support improvements by making sustainable travel choices possible and accessible which requires Valley Gardens Phase 3 delivery plus an increase in last mile EV delivered freight logistics is also evolving.

Traffic Regulation Orders and parking

- 3.47 The scheme had doubled the number of Blue Badge bays from four to eight parking bays. Four doctors parking bays are also provided in the area by Brighton Language College which includes an oversized loading bay that will accommodate UK and EU coach drop off and serve local businesses. Cycle parking will be integrated with appropriate drop kerbs to facilitate improved security and access for cargo bikes and other vehicles used for active travel.
- 3.48 The extents of the scheme remain broadly unchanged. However, Prince's Street will not be opened-up at its northern end and will not be subject to any changes in terms of traffic regulation. The southern end of Steine Street will be future proofed in terms of access, which would allow for the one-way traffic direction to be reversed if required at a future date following a period of scheme monitoring. Traffic Regulation Orders (TROs) related to Valley Gardens Phase 3, will be advertised in accordance with standard procedure in Spring-Summer 2022. At this time a Red Route is not included in the Phase 3 scheme.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 'Do nothing' for Phase 3 is not an option due to the need to realise the benefits of and interface with Valley Gardens Stages 1 & 2, to complete the overall project, and to address City Plan SA3 Policy.
- 4.2 The delivery of Phase 3 cannot be delayed further due to the need to ensure that the overall value for money for the project is achieved and so that the external funding that has been secured does not need to be returned. Failure to deliver the project could also jeopardise future funding bids.
- 4.3 The Phase 3 options appraisal was completed in 2018, as comprehensively set out in the publicly available *Valley Gardens Stage 1 & Stage 2 report*.
- 4.4 The key layout principles are maintained for the scheme as agreed in February 2019 following the second public consultation and significant changes to the plan. Following the third public consultation, July-September 2021, that sought views on detailed design aspects, the scheme's technical work has been progressed. The project team recommenced work in early 2021. Key work has included updating the traffic model which has been used to test junction signal arrangements, lane designation, and bus stop locations. The Detail Design Phase 3 scheme now proposed provides significant improvements in terms of sustainability across transport, accessibility, public space, heritage setting, and events. In October 2018 a Design South-East design review panel unanimously agreed that the preferred option was the best option to take forward for further development.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The development of the Valley Gardens Phase 3 scheme planning and design, has now been subject to three public consultation exercises, and key stakeholder design workshops, at key stages of the project.
- 5.2 The first of three public consultation exercises in the form of a survey which was held in June 2018. The survey elicited valuable insight in terms of public perception of the existing quality of the public highway, public spaces, and transport infrastructure. This information helped set objectives and identify options for the Phase 3 project. All options (44) identified were then assessed against the project's core design options, as agreed by this committee (June 2018). The best four options were then compared through the 2nd stage of the options appraisal, and thus compared in terms of benefits, according to Department of Transport appraisal principles and the government's 'Five case business case' framework.
- 5.3 This options appraisal process enabled the project team to identify an outline preferred option that is technically robust in terms of sustainability. This preferred outline option was then put out to public consultation (October-November 2018) alongside key stakeholder design workshops that were held.
- 5.4 Responses to the second consultation showed that most people, including some business owners or managers, agreed or strongly agreed with proposals for walking, cycling and public transport proposals. Additional feedback from these engagement processes led to significant revisions being made to the outline

preferred option and the plan was updated into a preliminary design. Officers then presented the preliminary design to Committee in February 2019, and it was agreed that the plan would be used to advance the development of the scheme. The recommendations of that report noted that the scheme would be subject to a third (and final) public consultation, to help inform detailed design matters.

- 5.5 The third public consultation exercise was completed from July-September 2020. The results of which were reported to this Committee in March 2021. More than 400 responses from residents of the city were received and over 40 from owners or managers of local businesses.
- 5.6 Appendix 3 includes the design response to matters raised through the third public consultation and stakeholder requirements and requests. The results of the public consultation and further stakeholder meetings which completed in December 2021 as noted in Appendix 3, have informed the scheme general highway arrangement as presented to this Committee as shown in Appendix 1.
- 5.7 Officers will continue to ensure that all technical matters are dealt with in terms of specification, installation of highway and utility assets and ongoing access.
- 5.8 Internal officers have been consulted during the schemes design process with some technical matters still to be determined, such as a pilot underground bin system in the Pool Valley area. This matter will be considered further if it is determined such integration is feasible.

6. CONCLUSION

- 6.1 The scheme once delivered will reinforce the city's resilience and demonstrate the Council's commitment to reinforce sustainability in terms of transport infrastructure, and quality of place and the environment.
- 6.2 The scheme will provide a significant increase in accessible public space for everyday civic uses, to enhance the visitor offer and to create a regenerated high-quality heritage setting and amenity space and providing a better link with the Royal Pavilion.
- 6.3 A new bus interchange will feature new facilities including green roofed bus shelters. Events will be sustainable running off renewably sourced energy, eliminating the need for diesel generators. A key section of the city's active and inclusive travel network will be established with walking and cycling and wheeling unimpeded with direct tree lined routes to the seafront - and traffic will continue to flow on an optimised state-of-the art junction arrangement, on the seafront and St James's Street junction. The delivery of Phase 3 will enable the benefits of Phases 1 & 2 to be fully realised, such as the completion of a central park destination and the completion of a sustainable transport corridor in the central area of the city, as well to contributing to supporting sustainable economic development.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The council has secured £6.0 million Local Growth Fund (LGF) capital funding from the Coast to Capital Local Enterprise Partnership (LEP) and has committed £1.840 million match funding consisting primarily of Local Transport Plan (LTP) capital funding and Section 106 contributions from approved developments (including Brighton Language School).
- 7.2 In February 2019 ETS Committee approved the preliminary design and delegated authority to officers to procure a single design and build contract to deliver the scheme (or individual contracts). This was subject to a third public consultation exercise to inform detailed design aspects of the scheme. However, due to further reviews that took place during 2019 before the LGF funding Agreement was signed in January 2020 and the Covid-19 impact, the public consultation was delayed and completed in late 2020.
- 7.3 As a result of the significant delay the project has been exposed to significantly longer periods of construction price increases and market volatility. The increased cost estimate spend profile set out in Appendix 2 now includes a significantly higher contingency allocation of £2.380 million.
- 7.4 Furthermore, stakeholder engagement has resulted in further commitments being made in terms of sustainable infrastructure provision, such as those for events, and the need to optimise the scheme through further design work in accordance with active travel infrastructure design guidance, which is now completed. The projects outputs and benefits have therefore significantly increased.
- 7.5 The total spend-profile requirement to deliver the project is now estimated at £12.839 million. This spend profile reflects the factors experienced during the delivery of Valley Gardens Phases 1 & 2.
- 7.6 Capital borrowing of up to £5.0 million will support the existing funding of £7.840m LGF grant, Local Transport Plan allocations and Section 106 contributions. The council will continue to explore other funding opportunities to support this project. The financing costs will be addressed through the budget setting process and reported back to Policy & Resources [P&R] Committee in February 2022.
- 7.7 The construction contract tender price will be known by early Summer 2022 following the competitive tender process is completed. The final construction contract tender cost will be reported back to this Committee and P&R Committee, with any additional funding reported into through the Capital Investment Programme and future years LTP reports.

Finance Officer Consulted: Rob Allen *Date:* 06/12/21

Legal Implications:

- 7.8 The proposed Valley Gardens Phase 3 would be constructed within the existing highway boundary.
- 7.9 The required Traffic Regulation Orders will be subject to statutory consultation and will need to come to this Committee for final decision should there be six or

more unresolved objections, or should the proposed orders be referred to Committee for decision following a “call-in”.

- 7.10 As noted in the report, any future alterations to the three bus shelters in the Old Steine will require planning permission and listed building consent.

Lawyer Consulted: Hilary Woodward

Date: 05/01/21

Equalities Implications:

- 7.11 The Valley Gardens Phase 3 Equalities Impact Assessment (EqIA) was drafted in late 2018 following workshops with the Get Involved Group (GIG) / Possability People. This EqIA was appended to the February 2019 Valley Gardens ETS Committee report.
- 7.12 In 2020 GIG/Possability People conducted an Accessibility Audit of the Phase 3 area which has been used to rectify existing conditions and to inform design matters and principles to be included in the scheme, such as removing clutter and obstruction across the existing footways. Telephone boxes that are poorly located in Phase 3 area, will be relocated, and upgraded with telecommunication systems, subject to the planning permission.
- 7.13 Wider stakeholder engagement has resulted in an uplift in the number of Blue Badge parking bays across the scheme from four in the preliminary design to eight bays in the final scheme. Appendix 3 lists the key stakeholder engagement meetings held during the schemes design including those meetings with representatives of disability groups.
- 7.14 The EqIA has been updated in accordance with the proposed Final General Highway Arrangement and will be finalised once the scheme has been constructed so that the EqIA reflects the ‘as built condition’.
- 7.15 The scheme provides an inclusive and accessible space by:
- Improving access for mobility impaired users
 - Improving access for visually impaired users
 - Providing connectivity between green / public spaces
 - Providing wide unobstructed footways where possible
 - Improving access to the seafront
 - Providing / maintaining access to essential services
 - Providing opportunities for resting and seating
 - Providing eight Blue Badge parking bays

Sustainability Implications:

- 7.16 Phase 3 will complete the Valley Gardens Project which will complete a new sustainable transport corridor for the city. Active travel network routes will be completed - and active travel choices will be supported with infrastructure that will support modal shift and reduce unnecessary private car trips.
- 7.17 Cargo bicycle access and parking will be incorporated to support the ‘last mile deliveries’ which will reduce the number of large freight vehicles entering the central city area and reduce damage to the fabric of the highway.

- 7.18 Additional bus priority lanes and updated bus interchange infrastructure with an improved pedestrian environment will improve the public transport experience. The substation will be upgraded so that diesel generators will no longer be required to run events which will reduce noise and pollution in the area – electric taxis can be charged – and Bikeshare hubs will be futureproofed for EV charging subject to how operator will provide an EV fleet.

Brexit Implications:

- 7.19 None.

Any Other Significant Implications:

Crime & Disorder Implications:

- 7.20 The scheme will make the public realm safer for all users of the public highway. The new orientation of the footways across Old Steine Gardens follow the principles of Phase 1 & 2 so that the green spaces throughout Valley Gardens draw people into them and as a result have a practical and civic sense of place. Both collectively and individually spaces will no longer be performing poorly as 'traffic islands'. The spaces will be reunified with the civic fabric of the city and have a heightened sense of perceived and actual self-surveillance through increased use by more diverse groups of people. As noted in paragraph 3.7 lighting in the green areas and public spaces will be improved through a successful bid for Government Safer Streets funding grant. Lighting will be upgraded across the area generally using Phase 3 budget such as street lighting of roads.

Risk and Opportunity Management Implications:

- 7.21 A construction risk register will be developed in preparation for the procurement of a construction contract and consultants will be required to use the council risk register template. The current increases cost estimate is a key risk in terms of project delivery. The design stage risk register has been updated by the project team. The implications of not delivering Phase 3 are significant as the third phase is required for relating the benefits of Phases 1&2 which requires full connectivity for all forms of transport throughout to the seafront.

Public Health Implications:

- 7.22 Valley Gardens Phase 3 will deliver new public space which will allow for more comfortable and practical physical distancing if required in a Covid-19 or similar public health pandemic scenario – this will make the city more resilient.
- 7.23 The Phase 3 scheme will deliver an integrated, sustainable transport corridor which includes new infrastructure to support and increase active travel. Increased pedestrian and cycling movements across and through this city centre corridor are key objectives to increase positive health outcomes and to improve air quality. The scheme will include future proofing infrastructure for electric charging points for all vehicles where there is scope to do so, to promote cleaner travel.

- 7.24 A new air quality monitor has been installed in 2020 on the east side of Old Steine. The new layout accommodates direct walking and cycling infrastructure and is a sustainable baseline from which tangible improvements in public health outcomes can be achieved and sustained through the sum of the council transport and public health policy and strategy initiatives.

Corporate / Citywide Implications:

- 7.25 The Benefits Management Plan included in the publicly available Valley Gardens Stage 2 Report captures all council and stakeholder/partner service interests to ensure continuity and, wherever possible, improvements in service delivery. Scoping of a potential underground bin system pilot, is still to be determined subject to Ground Penetrating Survey results. The VG3 project team and City Clean Programme Manager will collaborate on this matter to determine feasibility. The final design will make a significant contribution to the council's Corporate Plan objective to invest in and to develop an active and sustainable travel network and a significantly more sustainable city.

SUPPORTING DOCUMENTATION

Appendices:

1. Valley Gardens Phase 3 revised scheme: General Highway Arrangement
2. Valley Gardens Phase 3 Updated Spend profile
3. Valley Gardens Phase 3 Stakeholder Engagement: Detailed design stage July 2020 – December 2021

Background Documents

1. 2013 Valley Gardens Concept Design Approved Scheme for Valley Gardens Phases 1&2 Report and minutes: June 2018 ETS Committee – Agenda item 7: Valley Gardens Phase 3
2. Valley Gardens Phase 3 - Stage 1 Report: Preliminary Design Approach (August 2018)
3. Valley Gardens Phase 3 - Stage 2: Options Development and Assessment Summary (Technical Note, Aug 2018)
4. Report and minutes: October 2018 ETS Committee – Agenda item 29: Valley Gardens Phase 3 – (Royal Pavilion to Seafront) Approval of preferred option for consultation and further development
5. Report and minutes: November 2018 ETS Committee – Agenda item 45: Valley Gardens Phase 3 – (Royal Pavilion to Seafront) Approval of outline Business case
6. Report: March 2021 ETS Committee – Agenda item 86: Valley Gardens Phase 3 progress update (public consultation results)
7. Valley Gardens Project Phase 3 – An Accessibility Audit by The Get Involved Group (GIG), Possability People November 2020 (appendix 3 of the March 2021 ETS Committee Report - Agenda Item 86)
8. Report and minutes : February 2019 ETS Committee – Agenda Item 66: Valley Gardens Phase 3 (Royal Pavilion to Seafront) Results of public consultation and approval of Final Preliminary Design



127

BRIGHTON AND HOVE CITY COUNCIL
VALLEY GARDENS PHASE 3 - RIBA STAGE 3 HIGHWAY SCHEME COST ESTIMATE

						Previous Years	2021/22	2022/23	2023/24	2024/25
							Total	Total	Total	Total
Item	Description	Quantity	Unit	Rate	Amount	Prelim Design and Surveys	Design	Tender/Mobilise/Start on Site	SITE WORKS	SITE WORKS / RISK
Sub Total Main Construction Costs						£ -	£ -	£ 885,000	£ 6,854,000	£ 1,584,075
Sub Total Fees & Other Costs						£ 1,836,000	£ 410,000	£ 267,000	£ 270,000	£ 105,000
SCHEME ESTIMATE SUB TOTAL						£ 10,648,075	£ 410,000	£ 267,000	£ 1,158,000	£ 7,124,000
Sub Total Contingencies and Risks						£ 2,190,923	£ -	£ -	£ 2,190,923	£ 1,200,000
SCHEME ESTIMATE TOTAL INCLUDING CONTINGENCIES AND RISKS						£ 12,838,998	£ 410,000	£ 267,000	£ 3,645,898	£ 8,324,000
TOTAL CUMULATIVE SPEND							£ 410,000	£ 677,000	£ 2,131,975	£ 10,455,975
Drawdown LEP						£ 6,000,000	£ 262,000	£ 247,000	£ 1,454,975	£ -
Drawdown S106						£ 20,000		£ 20,000	£ -	£ -
Drawdown BHCC Capital						£ 1,840,000	£ 148,000	£ -	£ 1,692,000	£ -
Drawdown Public Works Loan Board						£ 4,978,998		£ -	£ 2,595,975	£ 2,383,023
						£ 12,838,998	£ 410,000	£ 267,000	£ 1,454,975	£ 8,324,000
										£ 2,383,023

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Options and preferred option development

MWG	Date	Process/Agenda topics
Design Review Panel: D:SE	May 2018	Review contemporary public highway design and explore case studies to inform VG3
Public consultation I	May-June 2018	Consult the public on existing quality of transport and public realm in VG3 area >900 responses
Design Review Panel: D:SE	October 2018	DSE unanimously agreed preferred option as best to take forward for further development
Public consultation II	October – November 2018	Consult on preferred option to inform development of the preliminary design
B&H Transport Partnership	October 2018	Stakeholder engagement meeting
Historic England	November 2018	Stakeholder engagement meeting
Taxi Forum	November 2018	Stakeholder engagement meeting
Quality Bus Partnership & coach operators	November 2018	Stakeholder engagement meeting
Brighton Language College	November 2018	Site visit
Future member of VGF formed the following year 2019	November 2018	Site visit
Equalities Workshop Possability People - attended chpta.co.uk - invited Switchboard.org.uk - invited Hkproject.org.uk - invited Trustdevcom.org.uk - invited Tarner.org.uk / Tarner CC	November 2018	Stakeholder engagement meeting
Tourism Alliance	November 2018	Stakeholder engagement meeting
Representative of Marlborough House & Blenheim House	November 2018	Stakeholder engagement meeting
Sea Life Centre	December 2018	Stakeholder engagement meeting
Emergency Services	December 2018	Stakeholder engagement meeting
Quality Bus Partnership	December 2018	Stakeholder engagement meeting
Active Travel focus group	December 2018	Stakeholder engagement meeting
Sainsbury's	December 2018	Stakeholder engagement meeting
2 X GP surgeries	December 2018	Stakeholder engagement meeting
Marlborough Theatre & Public House	December 2018	Stakeholder engagement meeting

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Brighton Experience – Public Art development group	December 2018	Stakeholder engagement meeting
YHA	December 2018	Stakeholder engagement meeting
Healy's Solicitors	December 2018	Stakeholder engagement meeting
Brighton Language College	December 2018	Stakeholder engagement meeting
Chair of Taxi Forum	December 2018	Stakeholder engagement meeting
Active Travel focus Group	December 2018	Stakeholder engagement meeting
B&H Bus Company	December 2018	Stakeholder engagement meeting
Royal Albion Hotel	December 2018	Stakeholder engagement meeting
Event Organisers	December 2018	Stakeholder engagement meeting
Brighton Palace Pier	December 2018	Stakeholder engagement meeting
GVA	December 2018	Stakeholder engagement meeting
Graves Son & Pilcher	December 2018	Discussion/introduction
Conservation Advisory Group	December 2018	Stakeholder engagement meeting
Regency Society	December 2018	Stakeholder engagement meeting
Brighton Society	December 2018	Stakeholder engagement meeting
Emergency Services - Police	December 2018	Stakeholder engagement meeting
Emergency Services - Fire & Rescue Services	January 2019	Stakeholder engagement meeting
Brighton Royal Pavilion	February 2019	Stakeholder engagement meeting
Palace Pier	February 2019	Stakeholder engagement meeting
Palace Pier & Sea Life	February 2019	Stakeholder engagement meeting

Post preliminary design

Local and Parliamentary MP's (Brighton Pavilion and East Brighton)	2019/20	Stakeholder engagement meeting
Event Organisers (Fringe Festival)	May 2019	Operational Site visit
VGF informal mediation	July 2019	Stakeholder engagement meeting
Air Quality monitor installation at St James's Street junction east side	August – January 2020	Project monitoring purposes
Pride	January 2020	Stakeholder engagement meeting
B&H Bus Company	January 2020	Stakeholder engagement meeting
Event Organisers	January 2020	Stakeholder engagement meeting
Cargo Bike operator(s)	June 2020	Stakeholder engagement meeting

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Stakeholder Engagement and third Public Consultation submissions July – October 2020

No.	Source	Type (all workshops held virtually)
1.	Active Travel Focus Group	Workshop (further meetings to be held)
2.	Sustrans	Workshop
3.	Bricycles	Workshop
4.	Living Streets	Workshop
5.	Two Wheels	Workshop
6.	Bikeshare Co and bikeshare BHCC contract manager	Workshop
7.	Possability People plus Accessibility Audit	Workshop and Accessibility Audit. (further meetings to be held)
8.	BADGE	Submission by email
9.	Last mile Freight - Cargo bike operator and officers	Workshop and site visit
10.	Regency Society	Workshop
11.	Brighton Society	Workshop
12.	Brighton & Hove Bus Co and Metro Bus	QBP Workshop
13.	Buswatch	QBP Workshop
14.	Stagecoach	QBP Workshop
15.	Taxi Forum	Workshop
16.	Conservation Advisory Group	Meeting
17.	Events	Workshop informed by previous Member Task & Finish Group Meeting
18.	Royal Albion Hotel	Tourism Alliance meeting and 8 September 2020
19.	Blue light services	Workshop (further meetings to be held)
20.	Motorcycle Action Group	Meeting
21.	Palace Pier	Tourism Alliance meeting
22.	Marlborough Pub / Princes Street	Public consultation submission
23.	Valley Gardens Forum	2 July 2020, informal mediation meeting
24.	Valley Gardens Forum	7 September 2020 Meeting
25.	Valley Gardens Forum	Third Public consultation submission
26.	Marlborough House	Email submission
27.	Brighton Language School	Public consultation submission
28.	YHA	Public consultation submission
29.	Tourism Alliance	Meeting
30.	Madeira Drive Traders Assoc	Meeting

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

31.	Royal Pavilion Museum Trust	Meeting
32.	Brighton Experience (Public Art)	Meeting
33.	Historic England	Meeting
34.	Urban Design Group	Submission
Other		
35.	East Brighton MP	Briefing/stakeholder engagement January 2021
36.	Brighton Pavilion MP	Briefing/stakeholder engagement March 2021
37.	Local Ward Councillors	01 October 2021
38.	Revenge Club	May 2021 Stakeholder engagement meeting
Stakeholder meetings and workshops July 2021 – December 2021		
39.	Brighton & Hove Bus Company (X3)	28 July & 8 October and 17 December
40.	YHA, Old Steine	25 August
41.	SAG	2 September
42.	Active Travel Focus Group (X3) included representatives of Living Streets, Bricycles, Possability People, Sustrans, Brighton University etc.	12 August, 9 September & 29 September
43.	QBP (X2)	7 Sep & 12 October (National Express invited but did not attend)
44.	UKPN	27 September
45.	Events Focus Group (X2)	4 October & (14 October - Brighton Fringe only)
46.	Taxi Forum	4 October
47.	Tourism Alliance	8 October
48.	VGf	8 October
49.	British Legion via VG-MWG (X2)	12 October & 5 November
50.	Royal Albion Hotel	15 October
51.	St James's Street Qtr Alliance	22 October
52.	Equalities Workshop – Possability People, BADGE, etc	01 November

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Meetings of the *Valley Gardens Member Working Group* (formerly known as *Valley Gardens Task & Finish Group*)

MWG	Date	Agenda topics
VG-Task & Finish Group	15 January 2020	General inaugural meeting
VG-Task & Finish Group	11 February 2020	Events
VG-Task & Finish Group	30 July 2020	MWG ToR review, DRAFT Public Consultation Plan (detailed design) Stakeholder engagement detailed design
VG-MWG	16 February 2021	Detailed design Contract procurement update, Public consultation report, Stakeholder engagement update. ETS Report for March 2021
VG-MWG	13 October 2021	War Memorial Part I
VG-MWG	5 November 2021	War Memorial Part II
VG-MWG	12 November 2021	War Memorial Part III
HVM workshop	29 November 2021	Hostile Vehicle Mitigation Part I
VG-MWG	3 December 2021	Revised VG3 scheme and War Memorial setting update
HVM workshop	16 December 2021	Hostile Vehicle Mitigation Part II
Bus Company and Buswatch	17 December 2021	Traffic modelling – viewing the microsimulation
VG-MWG (action follow up to the 3 December Meeting)	17 December 2021	Footway design

Further VG-MWG meetings to be held to inform final matters such as material selection for hard and soft landscaping in public spaces which may be subject to value engineering at a later stage.

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Final General Highway Arrangement scheme allocations

Feature	Location	Existing	Prelim design 2018	Proposed Final highway arrangement	Difference	Units
Pay and Display	Marlborough House	13		0	-13	no.
	YHA	2		0	-2	no.
	Albion Hotel	15		0	-15	no.
	Old Steine/Princes St	7		0	-7	no.
	Total	37		0	-37	no.
Disabled Bays	Marlborough House	0		3	3	no.
	Albion Hotel	0		3	3	no.
	Old Steine/Princes St	2		2	0	no.
	Total	2	4	8	+ 6	no.
Doctors Bays	Old Steine/Princes St	4		4	0	no.
	Total	4	4	4	0	no.
Solo M/C parking area	Old Steine/Princes St	1		0	-1	no.
	Marlborough House	1		1	0	no.
	Total	2	1	1	-1	no.
Taxi Rank	Albion Hotel	11		18	7	m
	Old Steine SB (south of St James)	33		22	-11	m
	Pier	0		12	12	m
	Total	44		52	+ 8	m

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Feature	Location	Existing	Prelim design 2018	Proposed Final highway arrangement	Difference	Units
Loading Bay	Albion Hotel	11		0	-11	m
	Old Steine/Princes St	11		28	17	m
	Old Steine SB (south of St James)	0		10	10	m
	YHA	11		0	-11	m
	Steine Loop	28		0	-28	m
	Pool Valley	0		17	17	m
	Castle Square	10		0	-10	m
	Pier	17		13	-4	m
	St James Street	0		11	11	m
	Total	88		79	-9	m
Bus Stand	Steine Loop	0		45	45	m
	Old Steine SB (south of St James)	56		22	-34	m
	Total	56		67	+ 11	m
Bus Stop	Steine Loop	87		95	8	m
	Old Steine SB (south of St James)	33		21	8	m
	Old Steine SB (north of St James)	16		0	-16	m
	Old Steine NB (north of St James)	0		41	41	m
	Castle Square	0		29	29	m
	Pavilion NB	70		0	-70	m
	Total	206		186	-20	m
Bus stand at YHA future proofed for additional bus stop would result in net gain when/if brought into service c. + 10 m						
Trees (new)	Steine Loop	0		22	22	no.
	Pavilion NB	0		19	19	no.

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

	Total	0		41	41	no.
Feature	Location	Existing	Prelim design 2018	Proposed Final highway arrangement	Difference	Units
Benches (new)	Steine Loop	0		6	6	no.
	Steine Gardens	0		18	18	no.
	Pavilion NB	0		12	12	no.
	Total	0		36	36	no.
Cycle track (new)	North of St James	0		260	260	m.
	Steine Loop	0		218	218	m.
	Palace Pier junction	0		393	393	m.
	Total	0	700	871	871	m.

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Public consultation results (as reported March 2021 ETS Committee) with design response included in updated final General Highway Arrangement

VALLEY GARDENS 3 PUBLIC CONSULTATION July – September 2020, REPORT November 2020

Results

Number of Responses

Source of responses	Number	%
Online	460	99.4
Paper Copies	3	0.6
Total	463	100

Businesses (where named)

- Brighton and Hove Community Housing CIC
- Brighton Language College
- Pavilion Gardens Café
- Peake Puckering Ltd
- The Bristol Bar
- Brighton and Hove Motor Club
- AJT Managed IT Services Ltd
- Oakhelm Construction Ltd
- Brighton MOT Centre
- City Point Brighton
- Graves Son and Pilcher
- Free Range Professionals

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

- Get Your Voice Heard
- Whiskey Bravo Productions Ltd
- The Bike Tailor
- Regency Surgery
- Southern Transit Bus Company
- Frankie's Grinder Ltd
- Frankie Vaughn's Sandwich Trolley
- Cogapp
- Fern and Pine Garden Design Studio
- Origin8 Creative
- The Life Tutor
- Mooch
- Lever Property Group

The local BID has been contacted at each stage of Public Consultation

Which category of organisation or group are you representing?	Number
Campaign Group	7
Charity/ voluntary sector group	4
Environment, heritage, amenity, or community group (includes environmental groups, schools, church groups, residents' associations, recreation groups and other community interest organisations)	7
Professional body / representative group	5
Transport user group	6
Other	24

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Organisations or Groups (where named)

- North Laine Traders Association
- Surdi CIC
- Brighton and Hove Clarion Cycling Group
- MAG Brighton
- Sussex Community NHS Foundation Trust
- Friends of the Earth
- Compass Travel
- Brighton Bike Hub
- Valley Gardens Forum CIC
- Transport Futures East Sussex
- Bricycles and Cycling UK
- Urban Design Group

Two open comments question were asked:

Q1 Please give us your comments on the details of this design and

Q2 Any other improvements you would like to see added to the agreed design?

The two tables below show all comments grouped by general themes. For ease of reporting, the area has then been split into sub-areas (A to H) to show what has been said or suggested relating to specific areas. Design response/comments are limited to topics that have registered 5 or more public comments in any given area.

Q1 Please give us your comments on the details of this design	Number of comments	2021 Design change / design team comment
Positive comments / Is an improvement / looks good / safer	100	More improvements introduced –surpassing the preliminary design on key aspects and detail – as noted below
Worried about congestion / longer journey times / not enough space for cars	85	Signals will be managed by latest technology so that traffic control centre can monitor and adapt timings to reduce

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number of comments	2021 Design change / design team comment
		congestion. Routes are direct for general traffic with adequate capacity
Concerned about pedestrian/ cycle conflict / remove shared space / need segregation / different colour markings	76	Shared surfaces in the preliminary design and Phase 1 & 2 interface replaced with segregated cycle tracks and footways
Comments on/ concerns about cycle lane routing / break in cycle lane / cycle junctions and connections	53	Cycle track length increased from 350 to 510 metres – plus 110 m of single directional track - all incorporated into junction layout where possible -
Worried about increase in pollution	44	The Review of Environmental Impacts (2019) predicted no significant impacts on air quality, and further design changes have now optimised flows to achieve better traffic management/flows and sustainable transport infrastructure, compared to Preliminary Design. it is anticipated that air quality will not exceed legal limits across the Phase 3 site as a result of delivering the scheme. Air quality will be monitored for three years after the scheme construction is completed, including a new air quality monitor installed on the east side of Old Steine. Over time, continued investment in strategic, citywide policy measures such as active travel measures and new engine technology and traffic management capabilities will also support year on year improvements in reducing emissions. Modal shift for local trips / improved sustainable travel choices – requires Phase 3 delivery. Increased last mile EV delivered freight also evolving.
Questions / concerns / suggestions on proposed traffic routing / flow	44	Traffic modelling shows significant improvements compared to preliminary design Journey times. Peak time control capabilities introduced though three stage only signalisation system for optimal capacity. Additional approach lane introduced eastbound A259 compared to preliminary design
No need to change or add more major junctions	39	Main junction currently performs poorly especially in peak time with exit blocking and uncontrolled priority arms all merging. New design improves junction management and

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number of comments	2021 Design change / design team comment
		reliability of traffic throughput in peak time. No major junctions added.
Worried about impact on businesses / will deter visitors and tourists	26	New public space is an amenity for tourists and businesses and creates better setting for heritage assets
Worried about maintenance of public space / deter anti-social behaviour / homeless / street drinkers	23	Maintenance to be built into the construction contract for the 3-year monitoring period. Spaces more accessible - better quality - will be used by more people not just single groups of people as demonstrated by Phases 1&2
General negative comments / waste of money / will destroy Brighton / Unnecessary	23	Economic case optimised through updated design and stakeholder engagement
Suggestions for / unclear or unhappy with proposed bus routes through this area	22	Bus routes have been optimised – one way Castle Square - and infrastructure upgraded
Placement of bus stops will cause traffic congestion	21	Bus stops have been relocated with one way system from Castle Square
Worried about decreased accessibility for elderly / disabled / vulnerable	19	Removal of clutter and new crossing points introduced. Direct access to the seafront
Want different pedestrian crossings / diagonal / not puffin / countdown	16	Diagonal crossing typology is not the most efficient option for minimising signal stages required. Updated design is the most efficient possible for all modes to create balanced design for all.
Not enough bus stops / Too far between stops / No clear bus interchange	16	The B&H Bus Company advised that the King & Queen stop to be operational when Phase 3 delivered. New interchange infrastructure to be installed
Concerned about / Against loss of parking	16	Blue Badge bays increased from four to eight bays compared to preliminary design.
Worried about dangerous junctions / dangerous exits / difficult for large vehicles	15	Junctions significantly safer than existing layouts – further mitigation to be introduced
Proposed bus stops will not provide enough capacity / pavement space / too many services for these stops	14	The same capacity is provided with future proofing if changes are required in the future
How does this integrate with other schemes e.g., phase 1&2, Madeira Drive temporary closure	14	Madeira Drive will remain one way entry. All traffic entering Madeira Drive exits at Dukes Mound

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number of comments	2021 Design change / design team comment
Unhappy with consultation process	12	City Transport has introduced additional tools for future engagement processes
Questions and queries over access arrangements	11	
Keep cycle lanes away from bus stops	11	Cycle tracks will only be in proximity to bus stops where site constraints require them to be so
Request to make access only / keep access only	10	Principle of access only maintained at Pool Valley and no changes to Princes Street. Steine Street to be monitored.
Want cycle / pedestrian / bus priority at lights	10	Advance release for cyclists were practical such as link across to St James Street
Include clear markings and signage for cyclists	10	Additional cycle track now provided. Cycle track to be coloured for clear legibility
Unclear where the bus stops are / Confusing	10	Bus stops now confirmed – Bus Stop H removed. All buses use SW loop. Bus stop rationalisation and future proofing
Concerns about 5 lanes of traffic / creating barrier for East of the city / How are facilities used on this side	9	New crossing point and efficient signal staging for regular crossing frequency and adequate crossing time. Lanes provide capacity for peak time Flow on new smart signal technology which will minimise queuing. Phase 3 regeneration will benefit adjacent areas providing amenity space drawing in and boosting local economy.
Worried about increase in noise	8	Noise assessment conducted. Speed limit to be better managed with more traffic calming
Use improved roundabouts or more experimental junction e.g., cyclops	8	Informal Roundabouts only suitable for single lanes - main junctions would therefore require larger footprint and active travel and inclusive accessible routes/direct links could not be established with roundabout typology. Cyclops design now incorporated into the plan for cyclists
Increase bus layover provision / too much reduction	7	This has now been significantly increased - plus, the use of Pool Valley for buses as well as coaches.
Cycle lanes are too narrow	7	Cycle lanes are 4 metre where possible
More imagination in public space / public art / cafes / other ideas	7	Public space design has been developed – further work to be reported to members and stakeholder to add high quality

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number of comments	2021 Design change / design team comment
		materials – further discussion with Councillors on the Member Working Group to be had as well as Public Art's stakeholders and conservation groups. Art Deco bus shelter reuse will be a separate project building on the ideas provided through the 2018 Stage 2 Valley Gardens Public consultation.
Would like pavement to be wider	6	Overall increased footway space on both east and west side. Overall total of more than a football pitch worth of new public space and built out footways/kerbs. Kerbs reduced only where constraints require so that bigger gains can be achieved overall. Footway width now increased to 4 metres at St James Street on north side of the junction and more than 5 metres on south side by the new crossing point (widths increased compared to preliminary design)
Separate cyclists from traffic / hard segregation / different colour / shrub border	6	Hard (vertical segregation where required to make legible – e.g., on the seafront close to junctions
Concerns about drainage / want permeable paving	6	Resin bound material quality to be checked to ensure permeability
Concerns about rat-running	6	New Traffic regulation - signage on Steine Street to allow access only
Worried about emergency vehicles access	6	Emergency Services have been consulted.

Q2 Any other improvements you would like to see added to the agreed design?	Number of comments on this topic	Design change / design team comment
More trees / greenery / planting / flowers / wildflowers / edible plants	54	The plan currently shows an increase in trees. There are limited planting opportunities across site due to the formal setting and events programme
Want more Blue Badge Bays	28	Blue Badge parking bays increased from four to eight bays
Want to see pedestrianisation or shared space	25	The plan includes new public spaces
Would like to see improvement of existing areas or infrastructure	21	New services and future proofing for utilities will be built into the scheme. New events infrastructure

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

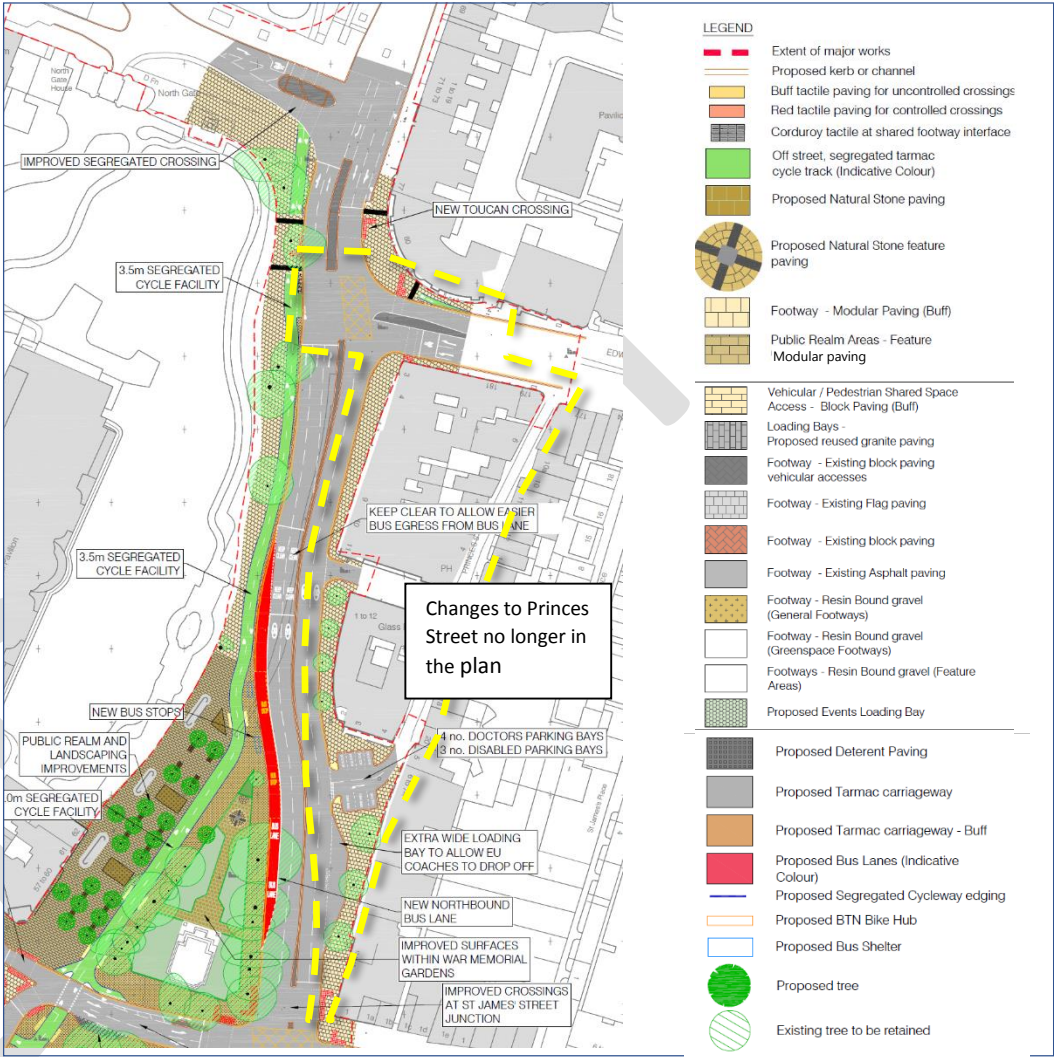
Q2 Any other improvements you would like to see added to the agreed design?	Number of comments on this topic	Design change / design team comment
Too car centric / need sustainable transport priority corridors / change purpose of lanes	19	Sustainable transport corridor is in the plan. Option to review and introduce further bus priority once initial scheme settle in. The Scheme connects the cycling network and NCN and new direct routes for walking and wheeling
Need more seating	19	Additional seating is included. Street Furniture will be temporarily removed when events are programmed.
Need improvement on existing cycle lanes / want additional cycle lanes	18	Originally 350 metres now an Additional 160 metres of bidirectional cycle track + 110 of single directional cycle track
Requests for additional crossings / moving crossings / retaining crossings	17	The plan includes two new crossing points compared to do nothing. One on the north side of the Place Pier junction and one on the south side of St James's Street junction
More/ move cycle parking / safer cycle parking	17	Dropped kerbs will be provided so that cycle parking can be accessed by cycles including tricycles such as cargo bikes
Need better cycle connections to streets on the East	16	New cyclops cycle track will be integrated into the new Palace Pier Junction as shown in Appendix 1, with a link across to Manchester Street and new cycle lanes that will connect to a new cycle track all the way to the Marina. An East Bound cycle link is provided to St James Street
Need more public bins / concerned about litter	13	Bin locations will be confirmed through the Valley Gardens Members Working Group and in discussion with City Clean. A location in Phase 3 is being identified to trial an underground bin system.
Include public toilets / disabled toilets	12	No toilets will be delivered through Valley Gardens Phase 3, however, early plans to add an accessible toilet as part of the Art Deco Bus Shelter restoration and change of use project tbc is being scoped
Need new parking alternatives / park and ride / underground parking	12	These are possible complementary measures/projects not to be delivered directly by Phase 3
More focus on walking / want dropped kerbs / more pedestrian access	12	Dropped kerbs will feature across the scheme
More motorcycle bays	10	A motorcycle bay is provided close to the current location

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q2 Any other improvements you would like to see added to the agreed design?	Number of comments on this topic	Design change / design team comment
More loading / trader's bays / delivery provision	8	Loading bays are provided at Royal Albion Hotel, by Brighton Language College, on the east side, South Bound approach to Palace pier, and on the link between the war memorial to serve the Bikeshare that will be re-provided in the area. One of the bays in Pool Valley will also become a loading bays to serve the YHA and other businesses
Need more short stay parking / provision to drop off and pick up	8	Short stay parking is not a priority in the Phase 3 area
Want more BTN Bikeshare hubs	8	The Bikeshare hub is to be re-provided. The provision may be expanded and future proofed for EV charging
Want drinking / water fountains	7	Two water fountains are to be allocated to the scheme and will be installed subject to Health & Safety and SCRIF project resources being reconfirmed.
Improve or increase street lighting / use heritage style lights	6	As with Phases 1 & 2 all heritage lighting will be refurbished and upgraded and reintroduced into the green areas and War Memorial.
Move or remove taxi ranks / loading bays/ bus layovers	6	Taxi ranks are re-provided in the area. A new rank is provided on the west side/upper promenade Palace Pier junction

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Area A – Edward Street / Prince’s Street / Sainsburys and Doctor’s Surgery Parking



Preliminary design 2018 agreed 2019

Final General Highway Arrangement Dec 2021

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

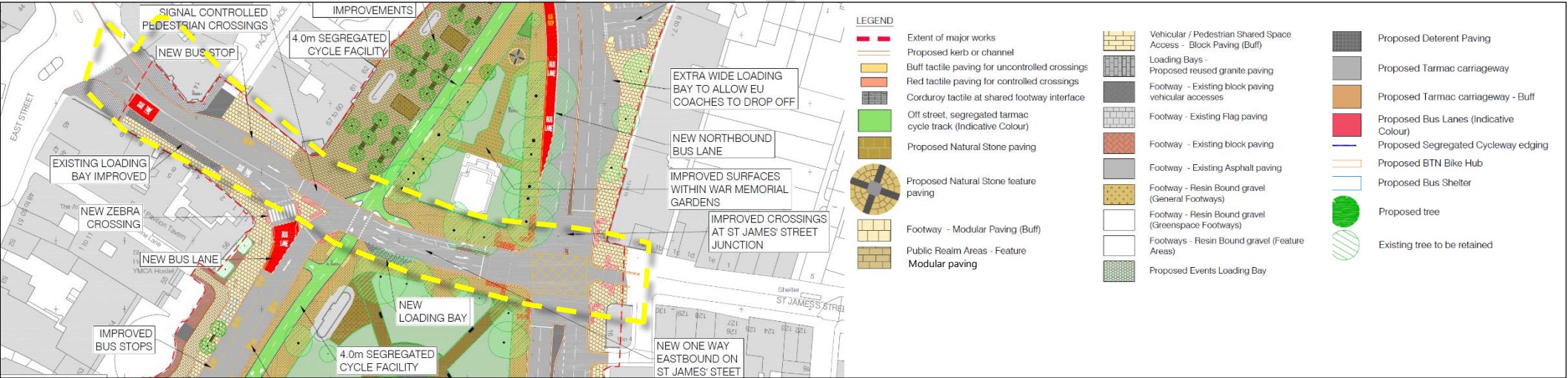
Q1 Please give us your comments on the details of this design	Number of comments on this topic	Design change / design team comment
Don't want Prince's Street to be a through road onto Edward Street / Dangerous to have a through road / Pavements too narrow	13	Changes to Princes Street are no longer in the plans.
Improve the junction so cyclists can easily leave / join the cycle lane from Edward Street / Unclear how cyclists navigate	10	Changes to Edward Street are relatively limited in terms of all modes of transport due to the current volumes of traffic
Too much parking loss at Doctors surgeries / need to retain disabled and doctors' spaces / want to pick up and drop off spaces	8	All four doctors' bays are retained in the area. There is also an area for loading
Worried this will impact on the outdoor seating of the café (Frankie's)	6	Changes to Princes Street no longer in the plan
Pedestrians have to cross four lanes of traffic / why a staggered crossing?	5	Staggered crossing feature where they are required. Direct crossing is included at St James Street and Palace Pier Junction
Q2 Any other improvements you would like to see added to the agreed design?	Number	Design change / design team comment
Would prefer Prince's Street pedestrianised or shared space	5	No change to Princes Street – remains no entry at northern end

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Area B – North Street / Castle Square / St James’s Street



Preliminary design 2018 agreed 2019 (Above)



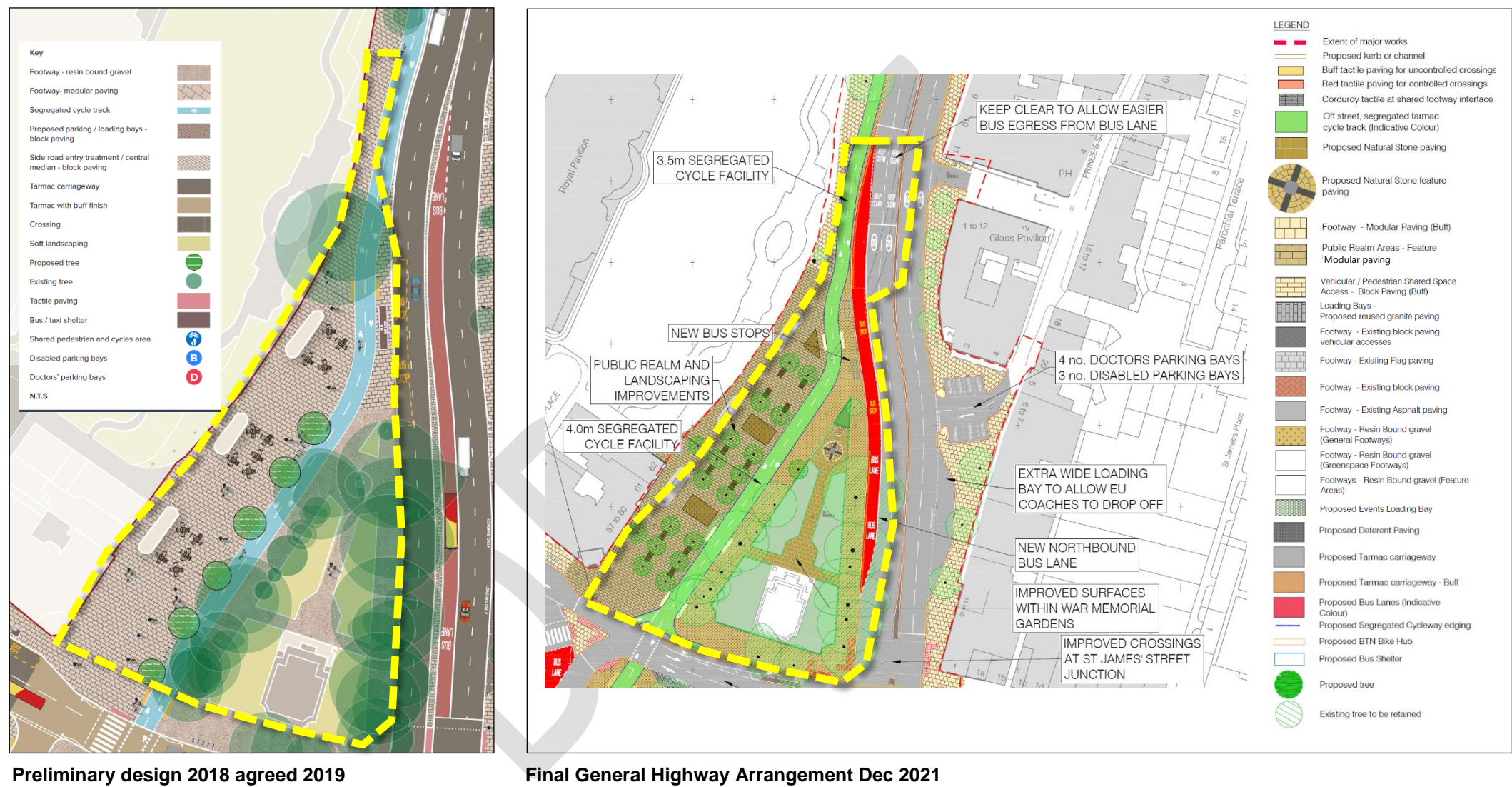
Final General Highway Arrangement Dec 2021

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number	Design change / design team comment
Placement of bus stops North of Steine Gardens will cause a pinch point / bus stops are in the carriageway	8	Bus stops no longer required in this location due to new one way east bound link
Worried about cycle/pedestrian conflict Southwest of the War Memorial/ need a crossing on the cycle lane / something to slow cyclists here / Pedestrians travelling East/West have to cross the cycle lane	7	Crossing points across cycle tracks now provided with Zebra crossing markings to give pedestrian priority across cycle tracks
Not clear how cyclists would access St James's Street	7	New east bound cycle lane link now included
The new Castle Square bus stops do not have enough capacity for the number of passengers or services here	6	One stop is provided and new stops for Lewes Road service just north of the War Memorial
Q2 Any other improvements you would like to see added to the agreed design?	Number	Design change and/or design team comment
Want a cycle lane between North Street and St James's Street	5	East bound cycle lane now included
Pedestrianise St James's Street	5	Not in scope of this project

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Area C – Public space in front of Royal Pavilion / Art Deco Tram Shelters / War Memorial ¹



¹ This area does not include comments about the North/South cycle lane which is Area H

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

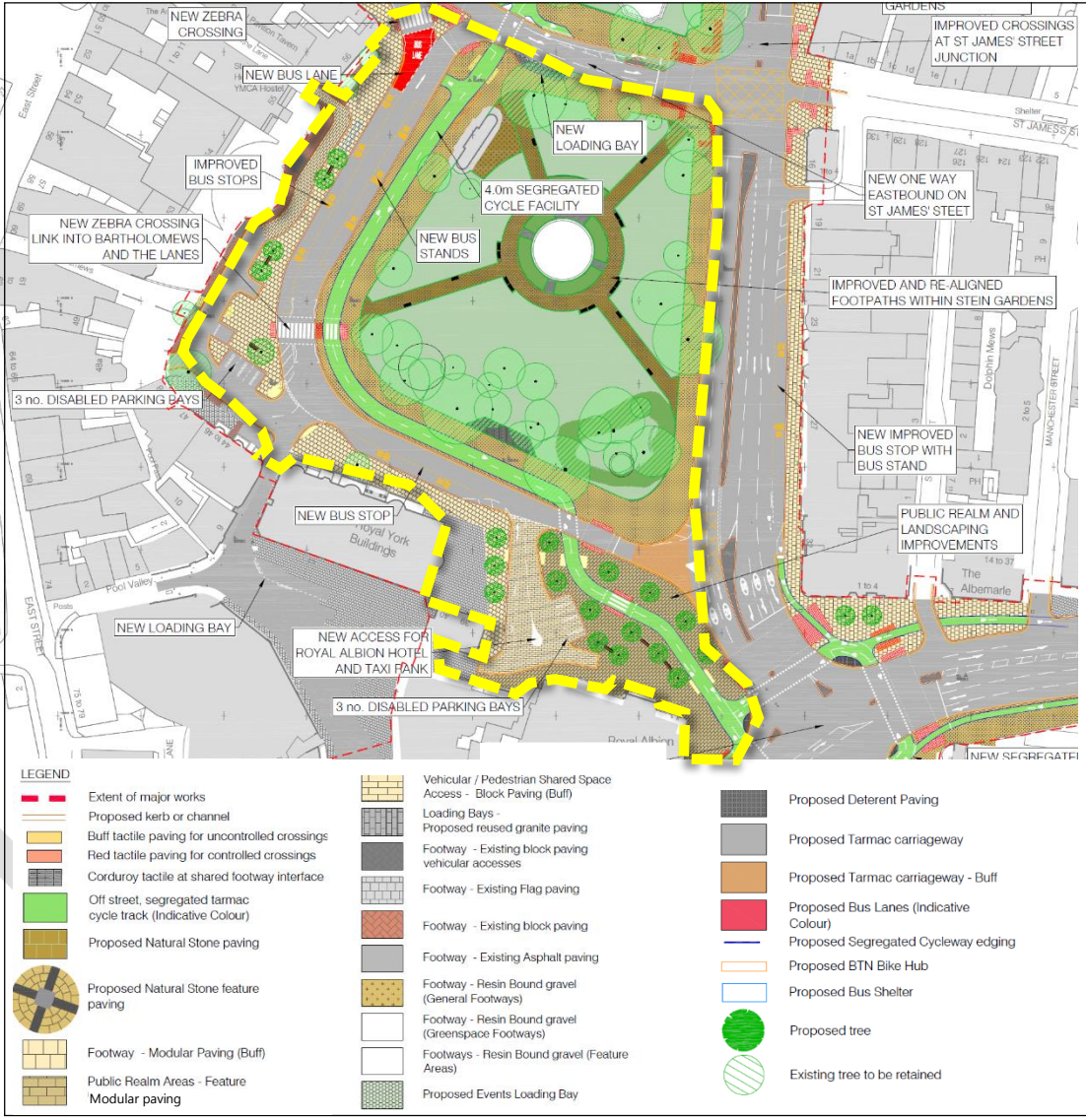
Q1 Please give us your comments on the details of this design	Number	Design change and/or comment
Would prefer to maintain the Northbound bus route past the Royal Pavilion / Keep the shelters for their current use / want public transport hub in this area	11	Public transport interchange in SW corner of Old Steine – similar provision at North of War Memorial for North Bound with introduction of North bound bus lane. Three Deco bus shelter to be reused as kiosks subject to further discussion with Historic England. (Uses to include information point for public transport and tourist information / bike doctor, café, gallery etc tbc – separate project tbc)
Happy with the new pedestrianised space / the removal of traffic from the West	9	Now includes more detail, higher quality landscaping – more construction drawings to be produced with conservation stakeholder to be consulted through the Valley Gardens Member Working Group
Happy to see the War Memorial will be more integrated / continue upkeep of the War Memorial	5	War Memorial setting to be significantly improved with new high-quality landscaping. British Legion being consulted and final material selection and construction drawings to be presented to the Valley Gardens Member Working Group

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Area D – Steine Gardens / South and West of Steine Gardens / Royal Albion Hotel public space / Pool Valley / Youth Hostel Association



Preliminary design 2018 agreed 2019



Final General Highway Arrangement December 2021

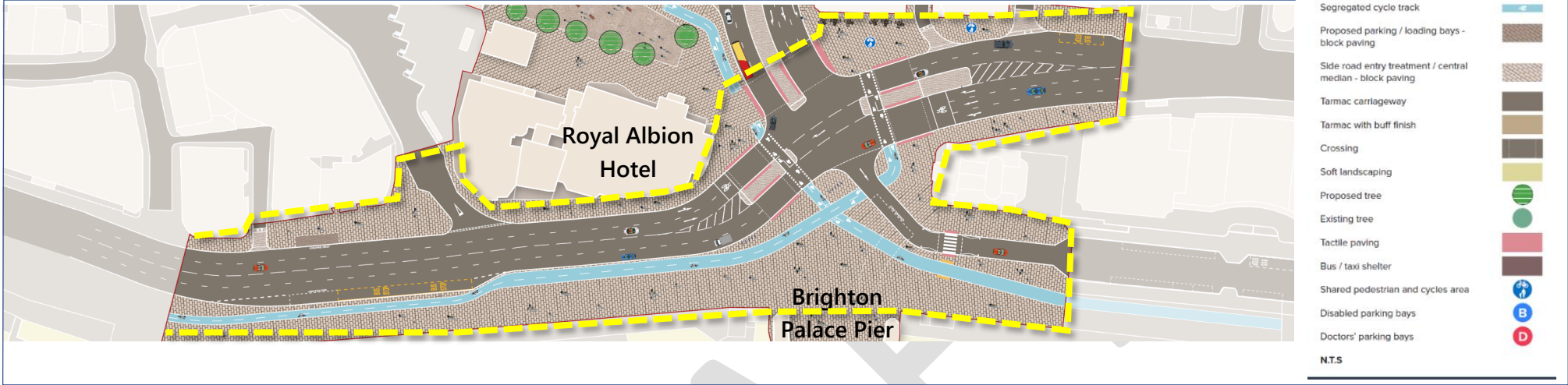
Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number	Design change and/or comment
New public space outside Royal Albion Hotel is an improvement	5	Royal Pavilion setting to be significantly improved within the public highway with new high-quality landscaping. RPMT being consulted and final material selection and construction drawings to be presented to the Valley Gardens Member Working Group
The cycle lane and pedestrian crossings in the Southeast corner are conflicting	5	Updated with clear zebra crossing on cycle track to give pedestrian priority. Update in the Highway Code will reinforce this new hierarchy
Concerned the new area of public space outside Royal Albion Hotel will not be used / needs a feature / What's the purpose of it?	5	Service access for the Royal Albion Hotel now included. Three Blue Badge Bays and Taxi rank. Tree lined boulevard for pedestrians and the cycle track to link u with the sea front directly.

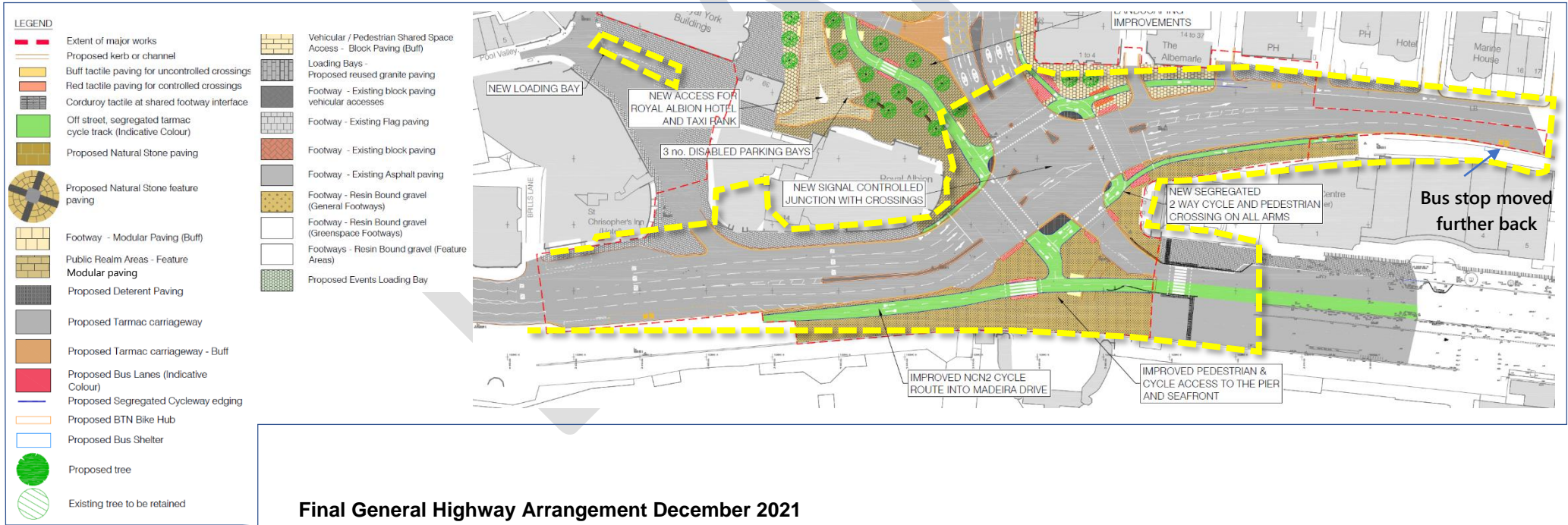
Q2 Any other improvements you would like to see added to the agreed design?	Number	Design change and/or comment
Would like to see improvements to Pool Valley / Should be included in the scheme	7	Some improvements anticipated through other project work tbc. VG3 may deliver an underground bin system to reduce clutter at street level. Subject to surveys and feasibility assessment.
Need more delivery / drop off provision for Royal Albion / Youth Hostel / Residences here	6	Service access area now included with loading bay also included in Pool Valley
Request for an additional crossing / realignment of a crossing / keep existing crossing:	5	Crossing points rearranged at Castle Square. Crossing point near Royal Albion required for desire lines.
<ul style="list-style-type: none"> Between the South of North Street and the North West of Steine Gardens / Better aligned to the alleyway to East Street 	(4)	Crossing point is aligned to alley way
<ul style="list-style-type: none"> Crossing at Pool Valley rather than Royal Albion 	(1)	

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Area E & F – Palace Pier Junction / Marine Parade / Grand Junction Road & Entry to Madeira Drive



Preliminary design 2018 agreed 2019 (Above)



Final General Highway Arrangement December 2021

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number	Design change and/or comment
Removing the roundabout will cause congestion / traffic won't flow as well	52	The current arrangement is outdated, uncontrolled and not fit for purpose. The new design will improve peak time traffic flows eliminating exit blocking on the junction and with new capabilities to adjust signal timing to manage flows that vary at different times of the day.
Replacing the roundabout is unnecessary / no problem with how it works now	43	The current arrangement is outdated, uncontrolled and not fit for purpose. The new design will improve peak time traffic flows eliminating exit blocking on the junction and with new capabilities to adjust signal timing to manage flows that vary at different times of the day.
Worried about increased pollution from removing the roundabout	23	The Review of Environmental Impacts (2019) predicted no significant impacts on air quality, and further design changes have now optimised flows to achieve better traffic management/flows and sustainable transport infrastructure, compared to Preliminary Design. it is anticipated that air quality will not exceed legal limits across the Phase 3 site as a result of delivering the scheme. Air quality will be monitored for three years after the scheme construction is completed, including a new air quality monitor installed on the east side of Old Steine. Over time, continued investment in strategic, citywide policy measures such as active travel measures and new engine technology and traffic management capabilities will also support year on year improvements in reducing emissions. Modal shift for local trips / improved sustainable travel choices – requires Phase 3 delivery. Increased last mile EV delivered freight also evolving.
Concerned about pedestrian / cycle conflict outside Palace Pier / separate cyclists and pedestrians here	19	A full complete bidirectional cyclops and clear segregation now included with zebra crossing giving pedestrian priority.

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number	Design change and/or comment
Removing the roundabout will be an improvement for cyclists and pedestrians / safer	17	A full complete bidirectional cyclops and clear segregation now included with zebra crossing giving pedestrian priority.
In favour of removing the roundabout	13	The new layout provides significant benefits and improves upon the preliminary design with single stage crossing points for cyclists and pedestrians
Don't agree with the area of shared space outside Harry Ramsden's / goes against government guidance / not sure what the point of it is	10	Segregated cycle track now provided
How will traffic change direction without the roundabout? / No easy access to turn or head Westbound	10	The Old Steine loop can be used for the very low numbers of driver requiring this manoeuvre
Cycle junction in front of the pier confusing / right of way between North/South and East/West?	9	This has now been revised with clearer routing and pedestrian priority
Too many sets of traffic lights along A259 / traffic will back up / phase lights	8	Traffic systems will be state of the art with the Palace Pier junction and St James's Street junction having the most sustainable layout possible with only three stage signals required - that are linked together and can be controlled and adapted in terms of green time across each of the three signal phases depending on traffic at different times of the day/year.
Better provision for East/West cyclists to join the North/South route / too many breaks in the lanes	7	Cycle tracks are now connected-up and segregation introduced instead of shared surfaces
Where does the cycle lane in shared space outside of Harry Ramsden's lead to?	5	Cycle tracks are now connected-up and segregation introduced instead of shared surfaces

Q2 Any other improvements you would like to see added to the agreed design?	Number	Design change and/or comment
Would like to see more trees / greenery in the area outside the Palace Pier	11	Tree planting is not possible due to the archways holding up the highway by the pier. Some greening / planting of low-lying shrubs / succulents etc in the small island on each of the four corners of the Place

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q2 Any other improvements you would like to see added to the agreed design?	Number	Design change and/or comment
		Pier junction – tbc. More trees by Royal Albion will line the pedestrian and cycle track routing
Too much priority given to cars on A259 / replace one lane with a cycle lane on Grand Junction Road	8	Cycle track now included on Marine Parade east side of the junction as well as the complete bi-directional-cyclops around the entirety of the junction. West side out of scope of the project
Keep the roundabout but upgrade/ improve / different style / more experimental junction	7	All options considered at the early stage of the project – not viable to have a controlled roundabout due to the footprint required and less efficient spatially – can not integrate active travel etc. Informal design not possible due to volume of traffic and number of lanes required
Would like a cycle lane on Marine Parade	5	Initial interface Included with future project to deliver cycle route to the Marina in the pipeline
Increase disabled bays on A259	1	Outside scope of this project. Blue badge bays increased to eight across Old Steine
Need to have a means of giving priority to emergency vehicles travelling East	1	Emergency Services consulted

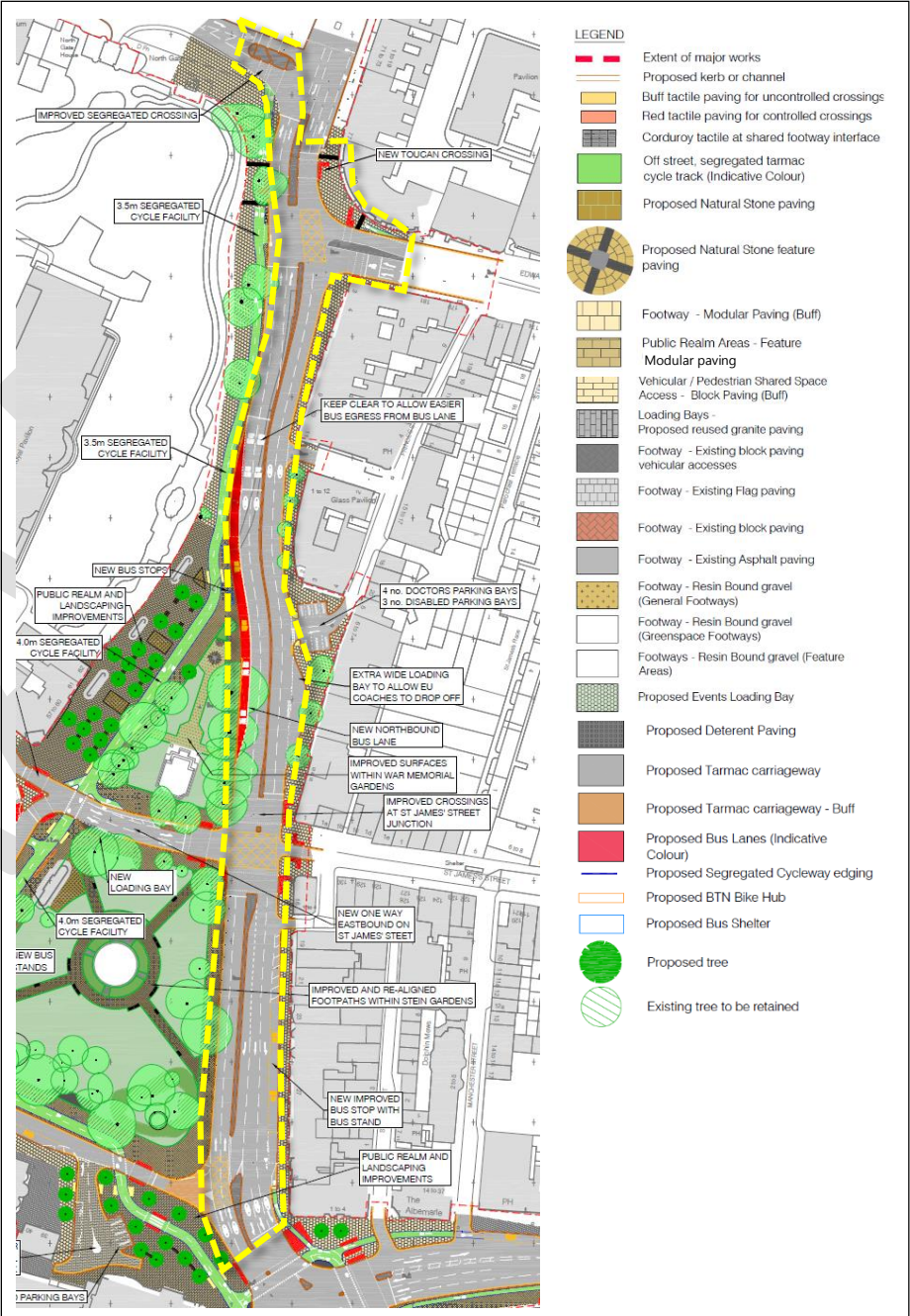
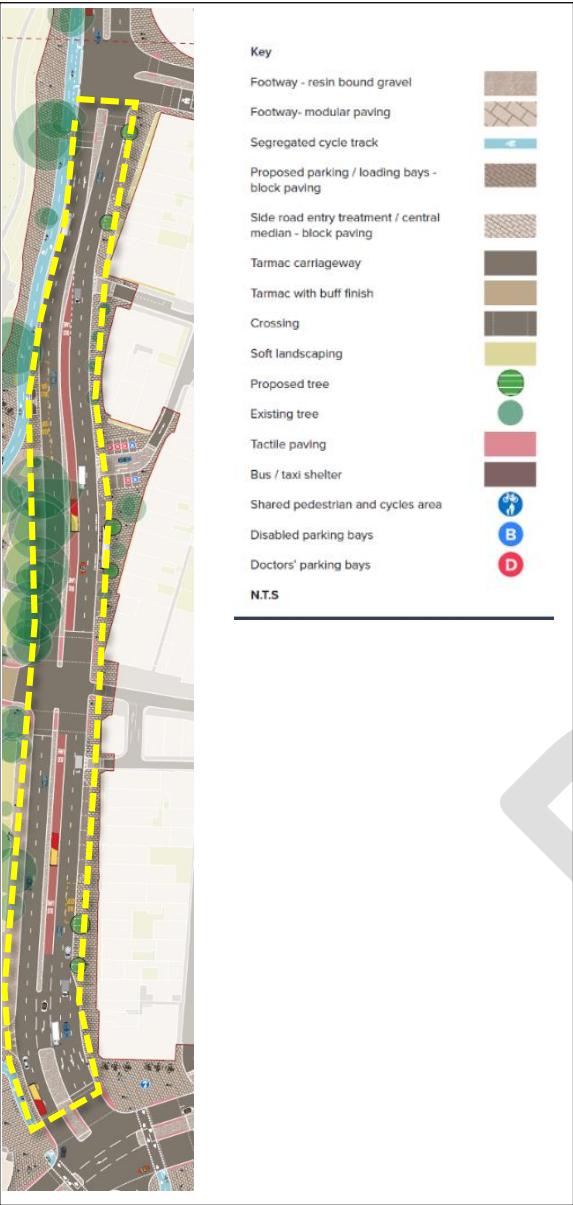
Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Area F – Madeira Drive (& Duke's Mound)

Q1 Please give us your comments on the details of this design	Number	Design change and/or comment
Duke's Mound traffic lights are unnecessary / confusing	12	Dukes Mound signalisation scheme has been delivered
Worried that Duke's Mound junctions will cause congestion on A259	6	Dukes Mound signalisation scheme has been delivered
Improve cycle access at Duke's Mound / Breaks in lanes	5	Dukes Mound signalisation scheme has been delivered. Further improvements could be delivered as part of the Eastern Waterfront Masterplan currently out to consultation
Supportive of the one-way entry only plans	5	This is maintained in the final design

Q2 Any other improvements you would like to see added to the agreed design?	Number	Design change and/or comment
Would like to see Madeira Drive pedestrianised / keep car free / No need for cars here / access only	18	Eastern Waterfront Masterplan currently out to consultation
Reopen Madeira Drive to vehicles / needs to be open to traffic for businesses	11	Not in scope – one way to be maintained
Want a full segregated cycle lane on Madeira Drive	6	This has been delivered as part of the EATF Emergency Active (Covid) Travel Fund and could be made permanent subject to further decisions required at ETS Committee

Area G – Eastern side of the plan / Traffic lanes North and South



Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Preliminary design 2018 agreed 2019

Final General Highway Arrangement December 2021

Q1 Please give us your comments on the details of this design	Number	Design change and/or design team comment
Bus stops in locations that will cause congestion / bus stops in the road Includes: <ul style="list-style-type: none"> Pavilion Parade Northbound bus stop located in the road Southbound stop East of Steine Gardens is placed in the road 	8 (4) (3)	North bound bus lane introduced to prevent this issue arising. Southbound stop in dedicated area
Too many traffic lanes / reduce the number of traffic lanes / reassign to other transport modes / Traffic to remain routed on both sides	7	Simplified routing allows for road space reallocation and the creation of new public spaces. Lanes included to allow for future additional bus priority to be introduced as other policy ensure are introduced and people have access to travel choices such as connected cycle lanes etc.
Pavilion Parade bus stop will not have enough capacity for all services / passengers	6	One stop is included at castle Square. Buses flow modelling improve significantly due to dedicated north bound lane
Bus stop at Pavilion Parade conflicts with the cycle lane	5	The cycle track is segregated
Removal of the existing Southbound bus stop decreases capacity / makes interchange difficult	5	Bus Stop H delays buses and will be removed

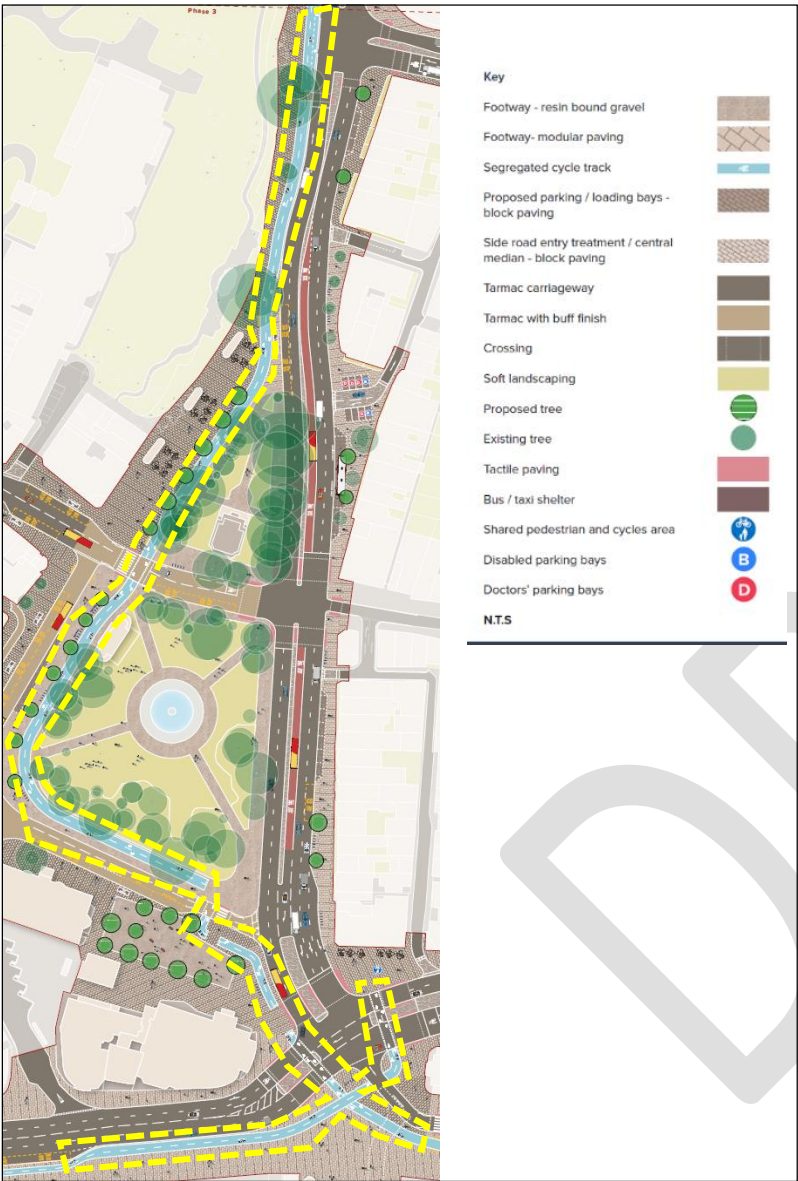
Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q2 Any other improvements you would like to see added to the agreed design?	Number	Design change and/or design team comment
Introduce traffic calming / dangerous entrances to side roads with high pedestrian footfall / change access arrangement to side roads	7	Old Steine has a speed limit of 20MPH. Traffic Lanes will be narrowed to help calm traffic
More crossing points on the East side of the plan <ul style="list-style-type: none"> • Crossing point on Pavilion Parade / Princes St / Doctors' surgeries • Crossing point in the South East / Revenge / Steine Gardens 	6 (4) (3)	Crossing points have been maximised to allow for balance between all modes of transport in a busy urban area

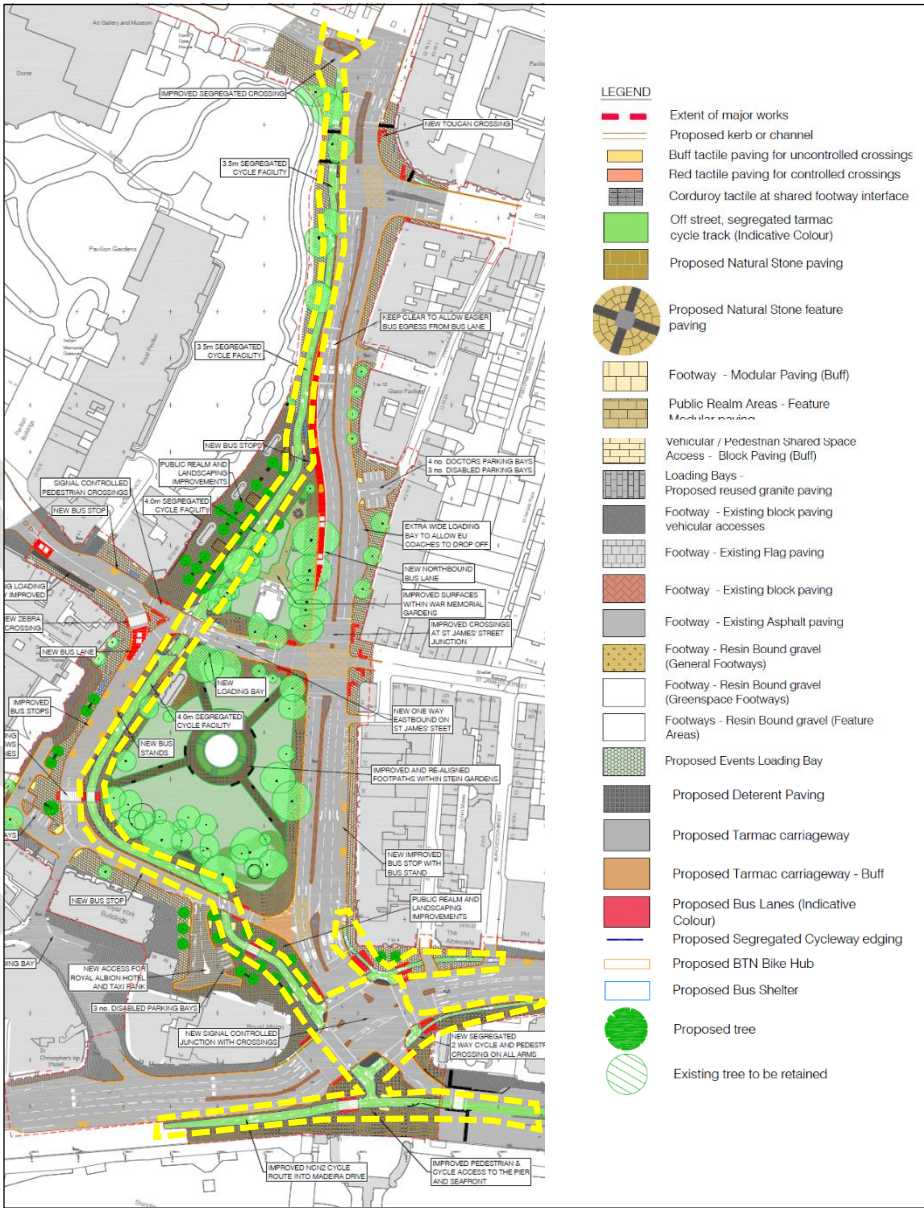
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Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Area H – North/South Cycle lane



Preliminary design 2018 agreed 2019



Final General Highway Arrangement December 2021

Appendix 3. Valley Gardens Phase 3 Engagement and consultation record

Q1 Please give us your comments on the details of this design	Number	Design change and/or design team comment
Happy to see the introduction of an off-road cycle lane / safer away from traffic	11	Bi-directional selected to interface with VG Phases 1 & 2 and to support legible leisure/tourist routing as well as commuter and younger people/accessible cycling. Single direction lanes would require two stage rights at Palace Pier junction which was not preferred.
Good to have cycle connection to the seafront / this has been a missing link	11	Required/justified
Worried about conflict with pedestrians through public space/ would like cycle lane a different colour / clearly marked	11	This is included in the design
Q2 Any other improvements you would like to see added to the agreed design?	Number	Design change and/or design team comment
Would prefer cycle lane on East side / more direct route / quicker	13	Not possible due to the need to include bus priority on east side

