



Brighton & Hove
City Council

Overview & Scrutiny

Title:	Overview & Scrutiny Commission
Date:	19 October 2010
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Mitchell (Chairman), Pidgeon (Deputy Chairman), Bennett, Cobb, Elgood, Kennedy, Morgan, Older, Peltzer Dunn, Wakefield-Jarrett and Meadows
Contact:	Tom Hook Head of Overview & Scrutiny 29-1110 tom.hook@brighton-hove.gov.uk

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AGENDA

Part One	Page
34. PROCEDURAL BUSINESS	1 - 2
35. MINUTES OF THE MEETING HELD ON 7 SEPTEMBER	3 - 8
36. CHAIR'S COMMUNICATIONS	
37. PUBLIC QUESTIONS/ LETTERS FROM COUNCILLORS/REFERRALS FROM COMMITTEES/NOTICES OF MOTION REFERRED FROM COUNCIL	
38. NATIONAL NON-DOMESTIC RATES DISCRETIONARY RATE RELIEF	9 - 36
<i>Contact Officer: Paul Ross-Dale</i>	<i>Tel: 01273 - 29 - 1969</i>
<i>Ward Affected: All Wards;</i>	
39. INTELLIGENT COMMISSIONING PILOTS UPDATE	
Report to follow	
40. TARGETED BUDGET MANAGEMENT MONTH 4	37 - 68
<i>Contact Officer: Patrick Rice</i>	<i>Tel: 29-1268</i>
<i>Ward Affected: All Wards;</i>	
41. LSP - DISCUSSION WITH CHAIRMAN AND UPDATE	69 - 82
42. O&S COMMITTEE UPDATE - CYPOSC	83 - 92
43. OSC WORK PROGRAMME AND GENERAL UPDATE	93 - 98
<i>Contact Officer: Tom Hook</i>	<i>Tel: 29-1110</i>
<i>Ward Affected: All Wards;</i>	
44. ITEMS TO GO FORWARD TO CABINET MEMBER, CABINET OR FULL COUNCIL	

OVERVIEW & SCRUTINY COMMISSION

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

For further details and general enquiries about this meeting contact Mary van Beinum, Overview & Scrutiny Support Officer, (29-1062, email mary.vanbeinum@brighton-hove.gov.uk) or email scrutiny@brighton-hove.gov.uk

Date of Publication - Monday, 11 October 2010

Agenda Item 34

A. Declaration of Substitutes

Where a Member of the Commission is unable to attend a meeting for whatever reason, a substitute Member (who is not a Cabinet Member) may attend and speak and vote in their place for that meeting. Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the Commission. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

B. Declarations of Interest

- (1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.
- (2) A Member of the Overview and Scrutiny Commission, an Overview and Scrutiny Committee or a Select Committee has a prejudicial interest in any business at meeting of that Committee where –
 - (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken the Member was
 - (i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and
 - (ii) was present when the decision was made or action taken.
- (3) If the interest is a prejudicial interest, the Code requires the Member concerned:-
 - (a) to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].
 - (b) not to exercise executive functions in relation to that business and
 - (c) not to seek improperly to influence a decision about that business.
- (4) The circumstances in which a Member who has declared a prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:-

(a) for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence,

(b) if the Member has obtained a dispensation from the Standards Committee, or

(c) if the Member is the Leader or a Cabinet Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

C. Declaration of party whip

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda as set out at paragraph 8 of the Overview and Scrutiny Ways of Working.

D. 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 2 of the Agenda states in its heading the category under which the information disclosed in the report is confidential 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.

BRIGHTON & HOVE CITY COUNCIL
OVERVIEW & SCRUTINY COMMISSION
4.00PM 7 SEPTEMBER 2010
COUNCIL CHAMBER, HOVE TOWN HALL
MINUTES

Present: Councillors Mitchell (Chairman); Pidgeon (Deputy Chairman), Elgood, Kennedy, Morgan, Older, Peltzer Dunn and Wakefield-Jarrett

PART ONE

24. PROCEDURAL BUSINESS

24.1 The Chairman reminded the meeting that the proceedings were being webcast and recorded.

24a Declarations of Substitutes

There were none.

24b Declarations of Interests

Councillor Elgood declared a personal interest in item 29, as he had been a candidate in the General Election.

25c Declaration of Party Whip

There were none.

26d Exclusion of Press and Public

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

RESOLVED: That the press and public be not excluded from the meeting.

25. MINUTES OF THE MEETING HELD ON 20 JULY 2010

25.1 The minutes of the meeting held on 20 July were agreed and signed by the Chairman.

26. CHAIRS COMMUNICATIONS

26.1 The Chairman welcomed everyone back after the summer break.

27. PUBLIC QUESTIONS/LETTERS FROM COUNCILLORS/REFERRALS FROM COMMITTEES/ NOTICES OF MOTION REFERRED FROM COUNCIL

27.1 There were none

28. REPORT OF THE DEMENTIA SELECT COMMITTEE

28.1 Councillor Pat Hawkes, Chairman of the Select Committee on Dementia introduced the report of findings and recommendations. The report would pass to the Joint Commissioning Board; was the first example of how the scrutiny function will inform the Intelligent Commissioning process.

28.2 The Select Committee was a timely scrutiny linked with both the recent national dementia strategy and the re-design of the local Dementia Care pathway. Councillor Hawkes emphasised that dementia touched many people in some way but until relatively recently it was not talked about. The role of carers was especially important, she said.

28.3 It was essential that the issue of dementia returned to scrutiny not only for tracking on-going progress against the recommendations, but also to be kept informed more generally.

28.4 Councillor Hawkes thanked all the Members of the Select Committee and officers who supported it, and especially those who had given their information to the Members.

28.5 Members of the Commission welcomed the report and discussed awareness and communications about dementia, advantages of early diagnosis of dementia, the role of General Practitioners, the role of carers and types of support and care available.

28.6 **RESOLVED:** that the Select Committee report on dementia be endorsed.

29. ELECTION PROCESSES

29.1 The Head of Life Events, gave a presentation on the conduct of the May 2010 General Election and the measures taken to ensure a safe result in the three tightly-fought constituencies. He explained the scale of the event and the large amount of activity in the period leading up to the Election.

29.2 Temporary staff were trained to staff a mini-call centre to answer questions on key issues such as the location of polling stations, queries on polling cards and postal votes. A lesson learnt from this election was the large increase in email volume so extra capacity may be needed in future to give a faster reply to e-mails.

29.3 Enough ballot papers were printed to allow for a 100% voter turn-out; this avoided problems that had been experienced by some other local authorities.

29.4 Regarding postal votes; the legislation had changed since the last parliamentary election, making the verifying of postal votes more complex. This was to prevent abuse. However it meant that the process of dealing with postal votes takes longer. A trained team verified and processed 100% of postal votes once the voting papers started to be received back.

29.5 On polling day postal votes can be received at polling stations until 10pm. The opening and verifying process is open to candidates and agents. In the event the total number of postal

votes had risen to 32,000. The large number of postal votes received coupled with the longer processes for verification caused the declaration to take longer than it had done previously at a parliamentary election.

29.6 Hand-delivery of voting cards by experienced staff had been found to be preferable to using the Royal Mail.

29.7 All polling stations should have been accessible however there had been some difficulties with wheelchair access in some stations; advice and guidance had been provided by the Health and Safety and Risk Assessment Teams. The Returning Officer (the Chief Executive) and Deputy Returning Officers had visited numerous polling stations on polling day. A full review of polling stations is due to be done in 2011 – 2012.

29.8 The 65% turnout had been slightly higher than the national average.

29.9 The Head of Life Events also described the pro-active work under way to help increase voter registration; for example with Universities, Homes in Multiple Occupancy and residential care homes and introduction of registration via phone and internet.

29.10 Answering questions the Assistant Director, Customers & Information (Deputy Returning Officer) welcomed the scrutiny and stated that everybody had worked hard to deliver three safe results for the City, and that was the most important outcome. From the outset the Returning Officers had expected that the count would take a long time. Postal votes took time to verify. However the thorough election planning process meant that three safe results had been delivered, and there had been no re-counts or other issues encountered by some local authorities. The time taken was around the national average.

29.11 It was agreed that communication at the count could have been improved ; it was a learning point for the future. Candidates, agents, poll and count staff and others had all been invited to provide feedback, and the responses had been very helpful.

29.12 Of 145 polling stations, only 3 were temporary buildings.

29.13 The elections team would try to resolve known issues before May 2011 local elections. These included: using a car park nearer to the Brighton Centre if count staff are likely to leave in the dark; the process for issuing replacement polling cards; use of temporary buildings as polling stations/ use of sustainable electricity generators.. Officers would provide an update on Individual Voter Registration.

29.14 The AD replied to questions about the Council's liaising with adjoining constituencies and responding to inappropriate behaviour at polling stations. She said legislation was in place for anonymous voting in some circumstances

29.15 She said that it was always the decision of the Returning Officer to decide whether to hold the count on the day of the election or the following day. He had personal responsibility to deliver a safe result for the election, but did listen carefully to views before making his decision.

29.14 **RESOLVED** 1) that the information be noted

2) That an informal update be provided to Members on voter registration

30. UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEES - HOSC

30.1 Councillor Garry Peltzer Dunn Chairman of the Health Overview and Scrutiny Committee described the work of HOSC in the past 12 months.

30.2 HOSC had concluded scrutinising the NHS 'Fit For the Future' plans to reconfigure acute healthcare in West Sussex which had involved joint working with scrutiny members from West Sussex, East Sussex, Surrey, Hampshire and Portsmouth.

30.3 Other issues investigated included

- South Downs Health Trust's integration with West and East Sussex community care providers to form a Sussex wide community care trust;
- Local NHS trusts' applications for Foundation Trust status;
- Local dental services;
- Breast screening services;
- NHS Brighton & Hove's annual operating plan;
- Out Of Hours GP services
- Hospital car parking.

30.4 Issues on the horizon included:

- Plans to reconfigure Sussex mental health services, moving more activity from acute hospitals to community settings;
- The '3T' development of the Royal Sussex County Hospital, turning the hospital into a regional hub for specialist services, trauma care and teaching;
- Changes outlined in the recent health white paper: 'Equity and Excellence,' including the abolition of PCTs and SHAs, GP commissioning and the creation of local authority hosted Health and Well-Being boards to co-ordinate GP commissioning and drive the public health agenda.

30.5 For reasons set out in the following report, Item 31, scrutiny of alcohol-related hospital admissions would be delayed.

31. SCRUTINY PANEL ANNUAL WORK PROGRAMME

31.1 The Head of Scrutiny introduced the report on potential subjects for scrutiny review within OSC remit, as set out in Appendix 1 to the report and the Addendum following consultation during the Summer.

31.2 Members discussed these in detail and agreed that a scrutiny panel on 'A Living Wage for Brighton & Hove' would be established first. When this had been completed 'Pro-active Sharing of Information on Vulnerable People' would be investigated by a further Panel.

31.3 Other topics regarded as suitable for inclusion on the work plan included: Council Buildings, Council Forward Plan; Better Ties Between City partners and the City Universities; Councillor Ward Surgery Review; Review of BME communities to get their voice heard and How/When the Council publishes information plus the licence terms it uses.

31.4 The Commission considered that other avenues were more suitable for reviewing the future of Pride.

31.5 RESOLVED;

- (1) That Scrutiny Panels are established under OSC own remit on i) A Living Wage followed by ii) Sharing of Information on Vulnerable People
- (2) That the consultation responses be noted for panel work to be taken forward to individual scrutiny committees for agreement based upon appendix 2
- (3) That work on the panel on Alcohol Related Hospital Admissions be delayed
- (4) That the panel update attached as appendix 4 be noted.

32. OVERVIEW AND SCRUTINY COMMISSION WORK PROGRAMME

32.1 The Overview and Scrutiny Commission noted the Annual Work Programme.

33. ITEMS TO GO FORWARD TO CABINET MEMBER, CABINET OR FULL COUNCIL

33.1 It was noted that the report of the Select Committee on Dementia would be passed to the joint Commissioning Board.

The meeting concluded at 6.00pm

Signed

Chair

Dated this

day of

Subject:	<i>National Non-Domestic Rates Discretionary Rate Relief</i>		
Date of Meeting:	19 October 2010		
Report of:	<i>Catherine Vaughan</i>		
Contact Officer:	Name:	<i>Paul Ross-Dale</i>	Tel: 291969
	E-mail:	Paul.Ross-Dale@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 National Non-Domestic Rates (NNDR, also known as Business Rates) is payable by charities and non-profit-making organisations, if they occupy a non-domestic property. Legislation allows for certain discretionary reductions in NNDR for these organisations, and the cost of this rate relief is met partly by government and partly by the council.
- 1.2 Officers have updated their policy for awarding rate relief and it is currently out for public consultation. In the context of limited funding, we have aimed to make a policy that is robust, fair, and focussed on realistic considerations. We invite Overview and Scrutiny to review progress so far and contribute to the overall consultation process by offering comments and advice.

2. RECOMMENDATIONS:

- (1) That the Overview and Scrutiny Commission reviews the policy aims of Discretionary Rate Relief and whether the policy itself achieves those aims.
- (2) That the Overview and Scrutiny Commission comments and provides suggestions in advance of the policy being finalised.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1. National Non-Domestic Rates (NNDR) is payable on any non-domestic property, whether it is an office, a shop, a beach hut or even an advertising hoarding. The Rates are collected by the council on behalf of central government, and passed back into the central pool, whereupon they are redistributed to councils to help pay for local services.
- 3.2. Charities, community amateur sports clubs and other non-profit making organisations have to pay NNDR, but they can be assisted with varying degrees of rate relief. Most charities and community amateur sports clubs are

automatically entitled to an 80% reduction of their rates. The council then has the discretion to top up some or all of the rest, to give a maximum 100% reduction. For non-profit-making organisations, the council can also award up to 100% reduction, using a mixture of local funds and government help.

- 3.3. The cost of the scheme is split between the government and the council as follows:

Charities and Community Amateur Sports clubs	Non-profit-making organisations
80% automatic reduction paid for by government Council can top up some or all of the rest.	No 80% automatic reduction, but... Council can award discretionary rate relief of up to 100%
<u>Cost split</u> Council pays 75% of top-up amount Government pays 25% of top-up amount	<u>Cost split</u> Council pays 25% Government pays 75%

Fig 1. Split of Rate Relief costs

- 3.4. There are currently around 150 properties and approximately 90 organisation of Discretionary Rate Relief, at a cost to the council of around £115,000. However, due to the contribution from the government (see Fig 1) the value to organisations multiplies up significantly. The true value to organisations is therefore around £184,000.
- 3.5. The cost of each award ranges from around £34.00 to around £12,000. The majority (100) of cases cost the council between £200 and £1200. The following illustrations show how DRR is applied and how the value multiplies up for an organisation:

3.6.

<p>Organisation A – a charity concerned with providing pathways to education and employment, co-ordinating many established training projects and employment schemes. Value to organisation is full reduction, saving them <u>£11,941.08</u>. Cost to council is <u>£1791.17</u></p>																							
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Fig 2. Example of DRR applied to charitable organisation

<p>Organisation B – a not-for-profit arts club, open to members and non-members, running various life drawing, painting and sculpture classes. Value to organisation is full reduction, saving them <u>£1933.62</u> Cost to council is <u>£483.41</u></p>																							
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Fig 3. Example of DRR applied to not-for-profit organisation

- 3.7. DRR is not a new feature of NNDR and there was an existing process for deciding applications. However, officers needed clearer and more flexible guidelines for greater consistency, because the existing criteria were quite limited, rigid and over-simplified.
- 3.8. The problem with having over-simplified and rigid criteria is that situations for organisations can be complex and fluid. Some organisations have a well-

established fund-raising structure and may need less help, while others may have no resources at all to raise funds. Some organisations may receive grants, either from the council or elsewhere (which may or may not affect the merits of their application). Some organisations may be affected by seasonal changes and may require more help at certain times. Others need longer-term help for financial stability and planning purposes.

- 3.9. Then there is the question of what sorts of organisations the city council *should* be supporting. Some want to help people get into work, some want to help their community, whether that means one street or the whole city, some just want to help people draw and paint. Others want to promote good health via sports activities, and some want to provide youth services. The list goes on, but we do not have much money and we cannot help everybody. Our policy should equip officers with the authority to consider the merits of wildly diverse organisations, all with completely different aims.
- 3.10. Officers therefore reviewed the policy with all of this in mind, aiming for it to be:
- Robust
 - Fair
 - Focussed on reasonable and realistic considerations
- 3.11. The new draft policy is attached as **Appendix 1** to this report. It is the version that was published on the council's consultation portal, so it does include annotation to help contributors form an opinion.
- 3.12. For the policy to be robust and fair, it needs to have good controls in place. This means having a decision-making route that enables challenge, both before the decision is made, and after it, if the applicant disagrees.
- 3.13. In the policy, there are several checks in advance of a decision being made. The NNDR team leader makes a recommendation based on the policy, which is checked and amended by a Revenues and Benefits manager. The final decision is then endorsed by the Assistant Director of Customer Services and Information (or Head of Service Unit, as the equivalent function).
- 3.14. An applicant can dispute the decision. It will be reconsidered by a different Revenues and Benefits Manager, as far as practicable. The outcome of the reconsideration will be endorsed once more by the Head of the Service Unit.
- 3.15. There are additional measures to ensure that the decision-making is robust. The question of choosing between organisations with differing aims and purposes is dealt with by linking the criteria to the council's priorities. These priorities will themselves have been tested and endorsed, and it seems like a fair and consistent way of separating out which organisations should be supported. Applicants should be reassured that as long as their aims complement the work and priorities of the city council, we will consider their applications seriously.
- 3.16. One final control is not apparent in the policy itself, but in the application form (**Appendix 2**). We have redesigned it to collect as much useful information as

possible, at the outset. The onus is on the organisation to show us why they should receive help. But we must ensure that they have the best chance of doing that, which means asking the right questions.

- 3.17. The other main policy aim is to deliver a realistic and reasonable focus to decision-making. This is really all about Value for Money. Officers must be able to use the limited funding effectively and shrewdly, bearing in mind that when contributing council money, we are doing so on behalf of Council Tax payers.
- 3.18. The policy requires officers to consider the financial health of an organisation, and its ability to pay. There is also an expectation that an organisation should have a strategy of getting to a position where it can help itself financially. One further consideration is whether an award is likely to make a positive impact. If, for example, other pressures are likely to be too great for an organisation to continue, it may be futile to commit taxpayers' money to it.
- 3.19. There are other features of the policy designed to prioritise help for organisations that benefit Brighton and Hove residents. For example, if there is a hypothetical recreational club near the boundary with Adur, we might take into account how many members or users come from the neighbouring authority. This might affect the level of any award given.

4. CONSULTATION

- 4.1. The new policy is in the middle of an external consultation, due to end on 15 November 2010. So far, there have been 7 responses but more are expected before the consultation ends.
- 4.2. All 147 current recipients of the Rate Relief are set to be reviewed immediately after the policy is endorsed. Review forms are being sent by 15 October 2010, with a cover letter encouraging participation in the consultation (**Appendix 3**).
- 4.3. Internally, we have consulted with the Discretionary Grants team and even explored with them the possibility of joint decision-making. This would have meant that the decisions for Discretionary Rate Relief would have been taken by the Members Advisory Group, perhaps alongside considering applications for grants. The matter was discussed at DMT, where it was decided to retain the current model for decision-making at officer level.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1. Financial Implications:

The funding committed for existing applicants is within budget, £115,000 for 2010/11. The Discretionary Rate Relief budget has previously been supported with contributions from the Local Authority Business Growth Incentives (LABGI). For 2010/11 this was a sum of £23,150. This funding has now been withdrawn

and will not be available to support Discretionary Rate Relief funding in the future, therefore additional resources will need to be identified within the Medium Term Financial Strategy. Subject to approval, it is recommended that sufficient funding is agreed to maintain the budget at the existing level for 2011/12.

As shown in the main body of this report, the value of an award increases depending on central government's contribution to each case. Nonetheless, each award is funded by Council Tax payers and so there is a responsibility for the payment to be in their interests.

Finance Officer Consulted: Rob Allen

Date: 8 October 2010

5.2 Legal Implications:

The recommendations at section 2 of this report are proper to be considered by the Overview & Scrutiny Commission on the basis that:

- (i) their terms of reference include the reviewing of finance matters; and
- (ii) all overview and scrutiny committees are required to maintain an overview of practice and policy of their relevant service areas; and, where a policy is identified as one that may cause concern to the public, to identify what action should be taken.

Lawyer Consulted: Oliver Dixon

Date: 5 October 2010

5.3 Equalities Implications:

An Equalities impact assessment has been carried out. The individuals and groups affected are as varied as the number of organisations who might seek to apply. Depending on an applicant organisation's success, the groups it supports could be affected positively or negatively. That will be a matter for consideration on each application and so, one outcome of this EIA is to ensure Equalities considerations are explicitly referenced in any decision recommendation.

The DRR policy requires organisations to have robust equalities credentials of their own, which helps to ensure there is no untoward equalities impact of giving rate relief to an individual organisation.

There has historically been an automatic exclusion of faith, religious, or belief groups if they are solely promoting that faith/belief and their membership is exclusive. In the EIA, we considered removing this condition from the policy, but in the end retained it. The intention of the condition is to focus help towards groups that benefit the community without excluding individuals or groups of individuals.

5.3 Sustainability Implications:

There are no sustainability implications.

5.4 Crime & Disorder Implications:

There are no Crime & Disorder implications

5.5 Risk and Opportunity Management Implications:

There are no Risk and Opportunity Implications beyond what has been outlined in the report and appendices

5.6 Corporate / Citywide Implications:

The existence of Rate Relief provides an opportunity for the council to support local organisations and it is open to the authority to decide how the discretion is applied.

It should be noted that under NNDR legislation, there is a similar power to allow discretion on grounds of hardship. At the moment, hardship applications are sparse, but are funded from the same budget as DRR. There is no additional or separate budget for hardship relief.

As such, the council could in theory choose to place greater emphasis on hardship. But without additional funding, there would be a corresponding negative impact on the organisations supported by DRR.

SUPPORTING DOCUMENTATION

Appendices:

1. Discretionary Rate Relief Policy (consultation version)
2. Application form
3. Cover letter for review forms, to encourage participation in consultation
4. Equalities Impact Assessment

Documents In Members' Rooms

None

Background Documents

None

Business Rates Rate Relief Policy (Charitable and Not For Profit)

Introduction

If you are a charitable or non-profit-making organisation, chances are you will be paying National Non-Domestic Rates (NNDR, also known as Business Rates). NNDR is payable on any non-residential property, whether it's a shop, an office, or even a beach hut or an advertising hoarding.

For charities fitting the legal criteria in NNDR legislation, there is an 80% reduction in your bill, paid for by Central Government. The Local Authority then has discretion to "top-up" this rate relief using a mixture of local funds and government help. There is also the discretion to award up to 100% reduction for non-profit making organisations.

Funds are extremely limited. There is an existing policy and procedure to allocate the discretionary relief. However, we have reviewed the criteria to make a more robust decision-making process. What we cannot do is help everybody, which is why it is essential that the policy is tough but fair. We would like your views on whether the new process achieves that aim.

The new criteria are not very different from the old ones. In writing this suggested policy, we have looked at equivalent policies of other Local Authorities, as published on the internet, and also the Council's current priorities, as set out in the Corporate Plan available on the Council's website.

In the consultation, we want you to tell us if you think we have achieved the aim of making a process that is:

- **Robust**
- **Fair**
- **Focussed on reasonable and realistic considerations**

The first section sets out the background to the discretionary rate relief power.

1. Introduction

1.1 The Local Government Finance Act 1988 sets out conditions for reducing the Business Rates burden on charities, non profit-making organisations and recreational clubs.

1.2 The categories of rate relief covered by this policy are:

- Charitable Rate Relief (for properties used wholly or mainly for charitable purposes, and occupied by a registered charity, or for registered Community Amateur Sports Clubs)

- Not For Profit Rate Relief (property used by a club or organisation for the purposes of recreation, or otherwise occupied by an organisation for a non-profit making or charitable purpose, or for social welfare, education, science, literature or fine arts)

2.1 Purpose of Charitable and Not for Profit rate relief

2.2 The remit of this policy is to provide rate relief to charitable and non-profit making organisations, whose aims and outcomes mirror some or all of the priorities of Brighton and Hove City Council, as set out in Appendix 1.

2.3 This policy sets out the criteria for applying discretion, to ensure value for money, fairness and consistency in a context of very limited funds.

Question 1

Do you agree with the remit of the policy?

Question 2

A recipient of Discretionary Rate Relief must have aims and outcomes that mirror some or all of the priorities of Brighton and Hove City Council. This is so that our discretion is used in a way that matches the needs of the city as set out in the Corporate Plan. Do you agree with the way the discretion is linked to Council priorities?

3.1 Decision Making process

3.2 The annual budget for the discretionary element of charitable / not for profit rate relief shall be set in advance of the start of each financial year by the Head of Revenues and Benefits. The budget will be administered and monitored by the Revenues and Benefits Managers.

3.3 Upon receiving an application for relief, the Business Rates Team Leader will make a recommendation.

3.4 The recommendation will be escalated to a Revenues and Benefits Manager, who will then approve or decline rate relief.

3.5 The decision will receive final authorisation from the Assistant Director of Customer Services and Information, or equivalent.

3.6 The Business Rates Team Leader will write to the business to explain the decision.

Question 3

Is the decision-making process fair?

4.1 Disputes Process

4.2 If the applicant disagrees with the decision made by the Assistant Director, he or she can dispute the decision by writing to the Business Rates Team.

4.3 The original decision will be reviewed by a Revenues and Benefits Manager. This will be, as far as is practicable, a manager who did not make the original decision. The manager will make a recommendation on whether or not to change the decision.

4.4 The dispute recommendation will receive final authorisation from the Assistant Director of Customer Services and Information, or equivalent.

4.5 The appellant will be notified whether or not their dispute was successful.

Question 4

Is the disputes process fair?

The next section deals with the criteria for getting Discretionary Rate Relief. Some of the criteria is set down in legislation and cannot be altered. However, we would like your comments on the discretionary elements that are set out in Section 8.

5.1 Criteria

5.2 The discretionary element will be considered on the merits of individual cases, according to the criteria set out in Paragraph 8 and no blanket policies will apply.

5.3 The fund for discretionary rate relief is cash limited and as such, not all applicants will be successful.

5.4 The ratepayer must supply evidence reasonably requested by Brighton and Hove City Council during the application process, otherwise the application may fail.

6.1 Qualifying criteria for categories of charitable / not for profit rate relief

6.2 Charitable rate relief

6.3 The following legal criteria must be met to qualify for charitable rate relief:

6.4 Charities

- Property used wholly or mainly for charitable purposes *and*
- Occupied by an institution/organisation established for
 - i) Charitable purposes only *or*

- ii) Occupied by any persons administering a trust established for charitable purposes only

6.5 Community Amateur Sports Clubs

- Ratepayer is a registered Community Amateur Sports Club *and*
- Property used wholly or mainly for the purposes of that club and other such registered clubs

6.6 If the above criteria are met in either category, 80% mandatory rate relief must be awarded and this is met entirely by central government.

6.7 The Billing Authority may use its discretion to award up to a further 20% on top so that the combined value is a maximum 100% rate relief. The cost to the local taxpayer is 75% of the discretionary top up, while central government pays for the remaining 25%.

6.8 The criteria in Paragraph 8 are used to establish eligibility for discretionary relief.

7.1 Not for Profit organisations

7.2 The following legal criteria must be met to qualify for Not For Profit Rate Relief:

Not for profit organisations

- Ratepayer is a non-profit making body *and*
- Property is used for charitable, philanthropic or religious purposes, or concerned with education, social welfare, science, literature or the fine arts.

Clubs, societies and recreational organisations

- Property wholly or mainly used for purposes of recreation *and*
- All or part of it is occupied for the purposes of a club, society or other organisation not established or conducted for profit.

7.3 This category is not a mandatory rate relief. However, at its discretion the Billing Authority can award up to 100% rate relief. Central government bears the cost of 75% of the award given, while the Billing Authority covers the remaining 25%.

7.4 The criteria in Paragraph 8 are used to establish eligibility for discretionary relief.

8.1 Discretionary Criteria

Question 5

Please comment on each of the criteria set out below

8.2 The aims of the organisation should mirror or complement one or more council priorities, as set out in Appendix 1

Agree/Disagree. Comments

8.3 The financial health of the organisation will be taken into account, including its assets, uncommitted reserves and general ability to pay. If an organisation has a good ability to pay, it is unlikely to receive an award of rate relief. On the other hand, it is expected that the organisation should show some capability of helping itself by having a fund raising / income generation strategy that would under normal circumstances sustain it.

Agree/Disagree. Comments

8.4 The future prospects for survival or continuation / expansion will be taken into account. If an award is unlikely to make a positive impact on these prospects, it may not be in the interests of local taxpayers to support the application.

Agree/Disagree. Comments

8.5 Faith , religious or belief groups will be excluded if they are solely promoting that faith, religion or belief.

Agree/Disagree. Comments

8.6 Consideration will be given to the proportion of members / users who are Brighton & Hove City Council residents and this may affect the amount of the award.

Agree/Disagree. Comments

8.7 The organisation should operate robust Equalities policies or practices.

Agree/Disagree. Comments

8.8 In the case of Not For Profit Rate Relief, there must be a democratic decision-making process governing the organisation.

Agree/Disagree. Comments

9.1 Duration of award

9.2 Whilst awards will usually be for one year, longer awards may be given depending on the needs of the organisation applying for help. However, the award cannot exceed the end of the valuation period during which the application is made. Consideration will be given to the need to manage the overall limitations of the fund, as well as the needs of the organisation applying for help.

9.3 Awards of DRR will be reviewed before the end of an award period to see if further help can be given. A review form will be sent to the applicant to complete and return and the same decision process will be applied as has already been outlined in section 3 onwards.

At the moment, awards are generally made for either 2 or 3 years. By creating a broader range of award periods, but with one year as the basic starting point for consideration, it is anticipated that we will be able to adapt more flexibly to one-off financial demands, leaving more funds for other applicants. We also have to be realistic about the current economic climate and whether future years will be funded in the same way. This is why we conduct regular reviews as a way of checking we can still afford the help, and that the organisation is still entitled.

What is a “valuation period”?

Every five years, the government’s Valuation Office Agency looks at every property that is liable to pay NNDR and carries out a wholesale revaluation. New rates are announced for each property and this determines how much NNDR is payable. A “valuation period” is the lifespan of that valuation, and each valuation period lasts for five years. The current valuation period runs from April 2010 to March 2015.

Question 6

Is the suggested approach to the timespan of an award reasonable, given the limited nature of the fund and the fact that there are many applicants?

Question 7

Any other comments?

Author of report: Paul Ross-Dale
Date: 23 July 2010

Brighton and Hove City Council Priorities 2008-2011

Protect the environment while growing the economy

Better use of public money

Reduce inequality by increasing opportunity

Fair enforcement of the law

Open and effective city leadership

PRIORITY ONE

Protect the environment while growing the economy

Maintaining economic growth in the city is vitally important. Growth will provide new opportunities in the city for those currently out of work, or for those who want to find higher-skilled jobs. Changing population patterns mean the city will need to create eight thousand new jobs over the next ten years just to maintain its current employment rate. To improve on our current employment rate, we will need even more. In creating opportunities for growth, we understand the responsibility we have for improving and protecting our special natural and urban environment. We want to make Brighton & Hove a city where people can get around easily, and where better urban spaces encourage people to walk and stay. We also want to reduce the city's carbon footprint, and play a full part in tackling the international challenge of climate change.

PRIORITY TWO

Better use of public money

The council spends over £700m of public money each year, and it is our responsibility to ensure that it is well spent. We will set council tax rates as low as we can, bearing in mind the need to support essential services and invest in the city's long term success. We will manage our existing financial and property resources carefully, redeveloping or selling surplus or underperforming assets. We will actively pursue those who do not pay money that they owe. We will also keep the costs of delivering services under careful review to give each pound that is spent maximum impact. At the same time, we will continue to maximise the external funding we receive from Europe, the National Lottery, central government and other sources, to deliver specific projects that support the needs of the city.

PRIORITY THREE

Reduce inequality by increasing opportunity

Despite the city's economic growth and considerable investment in regeneration by the city council, too many of our citizens are still disadvantaged by lack of skills, poor health, poor employment opportunities and difficulties accessing services. Our approaches will focus on preventing people falling into disadvantage in the first place and proactively working to equip people with the opportunities to rise out of it. Much good work has been carried out but funding for many initiatives is now coming to an end. We have undertaken major new research on deprivation in the city, which has shown that deprivation is much more dispersed through the city than had previously

been thought. It also showed that worklessness is one of the fundamental elements of deprivation in the city today. We will therefore increase people's opportunities for work, support those already working to stay in work and progress, and collaborate with other authorities to alleviate poverty wherever it is found.

PRIORITY FOUR

Fair enforcement of the law

We want to make Brighton & Hove a city where people are safe and feel safe, no matter where they are. No-one has the right to curb others' peaceful enjoyment of our city, so we will work with police to get results on antisocial behaviour, and we will reduce fear of crime. We are proud of our city's tourist trade, but we will not allow visitors to abuse our hospitality and inconvenience our residents. We will encourage people to be responsible, not through regulation and lecturing, but through firm action and consistent enforcement.

PRIORITY FIVE

Open and effective city leadership

We want to talk to, and listen to, everyone in the city. Our new City News gives residents better information about work going on in their city. Over the next three years we will be changing the way we do business to include more of the city's residents, and to encourage them to get involved in local groups and communities. Our new cabinet system will work in an open and transparent way, with public access to every meeting, and a new council scrutiny system to advise on the decisions we make. We want people to feel they can talk to the council and be heard. We want to work in ways that meet people's needs and don't disadvantage members of particular groups and communities.

For specific details see the Brighton & Hove City Council Corporate Plan at www.brighton-hove.gov.uk (enter "corporate plan" in the website search box)

CHARITABLE / NOT FOR PROFIT RATE RELIEF (National Non-Domestic Rates)

SECTION 1

Name of ratepayer making application:	
Property you wish to claim relief for:	
Business Rates account number if known	
Name of organisation	
Contact E-mail address	
Contact Phone number	
Contact address (if different from above)	

SECTION 2 – About Your organisation

Are you a registered charity or a registered Community Amateur Sports Club?	Yes enter registration number here: No
If the charity is exempt from registration, please explain why	
Are you a non profit-making organisation (other than a charity or Community Amateur Sports Club)?	Yes /No
Does your organisation occupy the property at the moment?	Yes / No
If no, when does the organisation intend to occupy the property?	
How does the organisation use the property, or intend to use the property?	
Does the organisation share the use of the property with any other organisation? Yes/No If yes, what else is the property used for?	

SECTION 2 - continued

**Is the property used for anything other than charitable or non-profit making purposes? Yes/No
If yes, please give details**

What are the aims and outcomes of your organisation?

What are your plans for the next 3 years?

SECTION 3 – Membership and governing structure

Is your organisation governed by a democratically elected body Yes / No – please provide a copy of your constitution

**Is membership open to all sections of the community? Yes / No / No members
If no members, go to section 4**

What are the requirements for membership?

Do you encourage membership from certain groups, eg, concessions for senior citizens, or people with disabilities, or takeup campaigns for minority groups? Please give details

SECTION 4 – People who use your services or facilities

Do you provide services or facilities to non-members? Yes / No
If yes, please give details

Do you make any specific adaptations for certain groups or individuals, eg disabled adaptations, dietary considerations etc

Approximately what percentage of your membership or users live within the Brighton and Hove City Council area?

SECTION 5 – Finances

What fund-raising and income generation strategies do you have? Please provide a copy of your latest accounts.

Are you experiencing any unusual financial pressures or other hardship at the moment? If so, please provide details.

Are you receiving financial help from any other source (eg. bank loan, council funding, government funding etc)? If so, please provide details of how much help and where from.

How long do you anticipate these circumstances continuing?

6 months 12 months More than 12 months

DECLARATION

I declare that the information contained in this form is true and accurate.

I understand that if I give false information I may be prosecuted.

I will tell Brighton and Hove City Council immediately about any changes to the information I have given.

Signed:

Date:

Capacity in which form is signed:



Phone: 01273 291981
Email: nndr@brighton-hove.gov.uk
Web: www.brighton-hove.gov.uk/businessrates

Business Rates Team
Brighton & Hove City Council
PO Box 2929
Brighton BN1 1PS

Name
Address 1
Address 2
Address 3
Post Code

Your reference:
Date:

Dear

Your Discretionary Rates Review

We wrote to you earlier this year to tell you that your Discretionary Rate Relief had been extended to the end of March 2011. You are currently receiving a 20% reduction on your National Non-Domestic Rates bill. This is on top of the 80% reduction you automatically receive because you are a charitable organisation.

Please complete and return this form, with a copy of your most recent accounts, by **29 October 2010** to see if you will qualify for further assistance beyond that date. If you do not qualify, or if you do not return the form, you will not receive a reduction of your bill for 2011/12, which will be issued next March. If you do not qualify, or if you do not return the form, you will still receive an 80% reduction of your bill for 2011/12, but you will not receive the additional amount.

Discretionary Rates Relief consultation - have your say!

We are currently reviewing the criteria for Discretionary Rate Relief and we would like to know what you think.

There are around 150 organisations that currently benefit from Discretionary Rate Relief in some form, but our funding is very limited. Although there is an existing policy and procedure to allocate the discretionary relief, we wanted to make the decision-making better and fairer.

The new policy is on the Council's website at www.brighton-hove.gov.uk/consultation . Just click on the link for **Brighton & Hove Consultation Portal**, then look for the **Business Rates Rate Relief Policy**.

If you have any questions about the form, or the consultation, please contact the Business Rates team on 01273 291981, or email nndr@brighton-hove.gov.uk.

Yours sincerely,

Graham Bourne
Head of Revenues and Benefits

AGENDA ITEM 38 Appendix 4

Equalities Impact Assessment Template

Aim of Policy / Scope of Service: Discretionary Rate Relief policy. Reductions in Business Rates for charities, not-for-profit organisations. Awards of rate relief are made from a very limited fund.				
Different Groups included in scope	Potential Impact on this group	Existing data/information inc. relevant legislation	Data/Information required	Potential actions to minimise negative impact and maximise positive impacts
<p>Any beneficiary of an organisation potentially entitled to the rate relief.</p> <p>The impact could therefore be upon any group of people, dependent on the services and facilities offered by the organisation in question. These are broken down in more depth below. Given that the potential range encompasses all Brighton and Hove residents, we have assessed against the list of potential groups in the Equalities Impact Assessment</p>	<p>Potentially the difference between success and closure for a charity, a business or other organisation.</p> <p>Depending on the role of the organisation, any group could be affected.</p>	<p>List of current recipients and rates</p> <p>Local Government Finance Act 1988 - legislative conditions for relief.</p> <p>Equivalent policies from other Local Authorities</p> <p>Actual Rate Relief application forms.</p>	<p>Information from communities team - recent closures / opening of organisations and current issues</p>	<p>Having a robust policy means decision-making is fair and keyed into Council priorities, including Equalities and Inclusion.</p> <p>A new appeals process will provide a further check on the fairness of the decisions.</p> <p>In the Charitable Rate Relief policy, eligibility is specifically aligned to Council Priorities, which will themselves have been Equalities Impact Assessed.</p> <p>Given that the potential range of affected parties is so broad, there should be an explicit reference to Equalities implications in each decision made.</p>

Guidance.				
<ul style="list-style-type: none"> • Disability • Ethnicity 	Possible barriers to applications where English not first language, or where disability relates to form-filling, for example illiteracy or dyslexia.	<p>Customer surveys</p> <p>Reviews of forms and bills</p>		<p>Lower risk as this policy relates to organisations mostly, rather than individuals, so there will probably be alternative resources to complete applications.</p> <p>Make translation options clear on form, internet and other publications</p>
Religion or Belief	Religion or belief - in previous version of policy, and in policies from other LA's, there is a specific exclusion of faith or religious groups intended to solely promote and cater for their own faith/religion. This is because if the organisation falls into this definition, it is non-inclusive.	<p>Historical applications (although hard to identify)</p> <p>Equivalent policies from other Local Authorities</p>	Discussion within the service and consultation	<p>Considered removing this automatic exclusion from the policy. It's a subjective matter whether or not an organisation is entitled to promote a non-inclusive agenda, and furthermore, it's subjective whether an organisation is actually doing that, or whether there are other broader community benefits to what that organisation is doing.</p> <p>There is a control written into the eligibility criteria that says the organisation must have a robust Equalities policy. This might be sufficient.</p> <p>However, decided to keep exclusion, as the simple intention behind the policy is that any assistance should benefit the community without excluding individuals or groups of individuals.</p>

<p>Age Gender (including Transgender) Sexual Orientation</p>	<p>No specific issues There is no impact as a result of the policy on these groups, except in the sense that they may be recipients of support from the applicant organisations.</p>			
<p><u>Examples of groups affected</u></p> <ul style="list-style-type: none"> • Homeless people • Unemployed people • People employed on a part-time, temporary or casual basis • Lone parents • People with caring responsibilities • People with mental health needs • People with substance misuse issues • People with HIV • Refugees & asylum seekers • Ex-offenders and people with unrelated 	<p>If an organisation supports any of these groups, there will be either a positive or negative impact depending on whether the application is successful.</p> <p>However, no specific problems linked to individual groups.</p>	<p>List of current recipients and rates</p> <p>Local Government Finance Act 1988 - legislative conditions for relief.</p> <p>Equivalent policies from other Local Authorities</p> <p>Actual Rate Relief application forms.</p>		<p>An organisation must have a robust Equalities policy as one of the qualifying criteria.</p> <p>If there is an impact on one or more of these groups, it will be clear on the application form that the organisation sends us, and will therefore be considered before a decision is made. Equalities implications will be considered on each application.</p>

convictions • People experiencing domestic violence • Young people				
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What consultation has been used or undertaken?	Date	Methods Used	Findings
Consultation to be done with public	Closing date 15 November 2010		

Agreed Actions	Timescale	Lead Officer	Review date

Lead Equality Impact Assessment Officer:

Date:

Departmental Management Team

Date:

Assistant Director:

Date:

Corporate Equalities and Inclusion Team

Date:

(NB: Actions must now be transferred to service or business plans)

OVERVIEW AND SCRUTINY COMMISSION

Agenda Item 40

Brighton & Hove City Council

Subject:	Targeted Budget Management (TBM) Month 4		
Date of Meeting:	19 October 2010 23 September 2010 Cabinet		
Report of:	Director of Finance & Resources		
Contact Officer:	Name:	Patrick Rice	Tel: 29-1333
	E-mail:	Patrick.rice@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: CAB16787	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report sets out the revenue and capital forecast outturn position as at month 4.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet notes the provisional outturn position for the General Fund.
- 2.2 That the Cabinet notes the provisional outturn for the Section 75 Partnerships and Housing Revenue Account (HRA) for 2010/11.
- 2.3 That Cabinet approves the changes to the capital programme, as set out in appendices 3, 4, and 5.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The table below shows the provisional outturn position for council controlled budgets within the General Fund and the outturn on NHS managed S75 Partnership Services.

Forecast Outturn Month 2 £'000	Directorate	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
413	Adult Social Care	36,304	36,616	312	0.9%
781	S75 Learning Disability Services	23,200	23,826	626	2.7%
2,791	Children & Young People's Trust	50,620	52,273	1,653	3.3%
(8)	Finance & Resources	18,826	18,477	(349)	-1.9%
-	Strategy & Governance	12,005	12,120	115	1.0%
517	Environment	37,326	38,123	797	2.1%
-	Housing, Culture & Enterprise	16,557	16,606	49	0.3%
4,494	Sub Total	194,838	198,041	3,203	1.6%
(2,125)	Centrally Managed Budgets	27,134	24,719	(2,415)	-8.9%
2,369	Total Council Controlled Budgets	221,972	222,760	788	0.4%
225	NHS Trust managed S75 Servs	12,328	12,742	414	3.4%
2,594	Total Overall Position	234,300	235,502	1,202	0.5%

3.2 The Total Council Controlled Budgets line in the above table represents the total current forecast risk to the council's General Fund. This includes all directorate budgets, centrally managed budgets and council-managed Section 75 services. The NHS Trust-managed Section 75 Services line represents those services for which local NHS Trusts act as the Host Provider under Section 75 Agreements. Services are managed by Sussex Partnership Trust and South Downs Health Trust and include health and social care services for Adult Mental Health, Older People Mental Health, Substance Misuse, AIDS/HIV, Intermediate Care and Community Equipment. The financial risk for these services generally lies with the relevant provider Trust. The forecast outturn on the HRA is as follows:

Forecast Outturn Month 2 £'000	Housing Revenue Account	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Variance Month 4 %
(104)	Expenditure	48,202	47,988	(214)	-0.4%
104	Income	(48,202)	(47,950)	252	0.5%
-	Total	-	38	38	

Corporate Critical Budgets

3.3 Targeted Budget Management (TBM) is based on the principles that effective financial monitoring of all budgets is important. However, there are a small number of budgets with the potential to have a material impact on the council's overall financial position. These are significant budgets where demand or activity is difficult to predict with certainty and where relatively small changes in demand can have significant financial implications for the council's budget strategy. These therefore undergo more frequent, timely and detailed analysis. Set out below is the forecast outturn position on the corporate critical budgets.

Forecast Outturn Month 2 £'000		2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
	Corporate Critical				
2,156	Child Agency & In House	22,332	23,693	1,361	6.1%
467	Sustainable Transport	(1,362)	(956)	406	29.8%
(350)	Housing Benefits	175,500	175,150	(350)	-0.2%
-	Concessionary Fares	7,712	7,552	(160)	-2.1%
303	Community Care	23,125	23,378	253	1.1%
781	Section 75 Learning Disabilities	23,200	23,826	626	2.7%
3,357	Total Council Controlled	250,507	252,643	2,136	1.0%
225	S75 NHS & Community Care	12,328	12,742	414	3.4%
3,582	Total Corporate Criticals	262,835	265,385	2,550	1.0%

Value for Money Programme - Update

3.4 Efficiency savings (benefits realisation) from the council's six priority value for money projects for 2010/11 are fully incorporated in the above TBM forecast and Appendix 1. The savings planned from the Value for Money Programme over the next 4 years were set out in the 'Budget Process & Budget Update' report to Cabinet on 22 July 2010. The six priority areas are:

- **Adult Services** – introducing new models of delivery and 'Personalisation' for greater choice (e.g. Personal Budgets);
- **CYPT** – improving prevention, planning and delivery of care;
- **ICT** – improving investment decisions and reducing infrastructure costs;
- **Procurement** – making the best use of the council's buying power;
- **Sustainable Transport, Fleet and Outdoor Events** – reducing costs by organising and procuring services and fleet more efficiently;
- **Workstyles** – making more efficient use of our property estate by improving office working environments and using new IT to enable more flexible and mobile working.

3.5 Services have re-prioritised existing staffing and resources to ensure effective support for the delivery and implementation of these projects. The projects also include other 'invest-to-save' resources and costs where these are essential to lever in the substantial value for money gains. Some of these are funded from external sources, for example, the Adult Social Care Personalisation project is substantially supported by government Social Care Reform Grant in 2010/11.

3.6 Progress on individual projects to date is as follows:

Adult Social Care:

- Casework continues to be processed through the Resource Allocation System (RAS) which is now used to identify indicative allocations for Self-directed Support (e.g. Personal Budgets).
- A new RAS has been developed (SCAN) to manage low level needs cases.
- Market development continues with partners to improve the range of care and support (e.g. Personal Assistants) for those people taking up Self-directed Support.

CYPT:

- An increased number of cases are being processed through the Common Assessment Framework (CAF) to ensure that universal services and other interventions provide more cost effective care packages commensurate with needs.
- An auditing tool has been developed to provide quality assurance on CAF reviews.

ICT

- Business Engagement Manager roles have been established to improve business case development for new ICT investment decisions across the council;
- Development of Service Level Agreements are underway to ensure appropriate allocation of staffing and resources to systems and services;
- Comprehensive applications and contracts registers have now been set up to enable a review of system rationalisation possibilities. This is alongside the deployment of software to accurately assess levels of application usage;
- Exploring development of a strategic approach to EDRM (electronic document management).

Procurement

- Two 'invest-to-save' short term Category Managers have now been engaged (Fleet and ICT) to ensure delivery of procurement savings;
- A new procurement governance process has been developed to ensure tighter controls over procurement activity.

Sustainable Transport, Fleet and Outdoor Events

- Centralised Vehicle Replacement Programmes are being developed with CYPT and Adult Social Care to maximise fleet procurement, management and usage efficiencies.
- A review of commercial opportunities for increasing fees from outdoor events is now underway.

Workstyles

- Plans for the new Customer Service Centre and changes to office accommodation in Bartholomew House are progressing well and will enable the move of staff from Priory House through better flexible working arrangements and IT and will release substantial efficiency savings (i.e. reduced lease rentals).
- A strategic review of all of the council's operational property portfolio has been completed and is now being consulted on.

Capital Budget 2010/11

- 3.7 This part of the report details the expected capital programme outturn for 2010/11, highlights any programme slippage, details new schemes and budget changes and seeks approval for slippage to the 2011/12 programme.

Appendices 3, 4 and 5 to this report shows in detail the proposed changes to the budget, resulting in a capital programme budget of £108.976 million.

Capital Forecast Outturn

- 3.8 As stated above, changes are proposed to the capital programme these are summarised in appendix 3.

Capital Overspends

- 3.9 Where schemes are forecast to exceed their budget, budget holders must identify additional resources to finance the shortfall. Forecast overspends of greater than £0.050 million or 10% of the original budget are required to be reported back to Members; either in detailed reports or through this capital monitoring report. Scheme delays or 'slippage' are also monitored in an effort to ensure schemes are delivered not only on budget, but also on time. Where a scheme is forecast to slip by £0.050 million or more, the budget holder will report back to Members, on the amount and the impact of the delay on service delivery.
- 3.10 Project managers have identified that the net overspend on the capital programme amounts to £0.071 million of which the majority (£0.048 million) concerns the Horsdean Travellers site which has suffered from vandalism resulting in a overspend on the scheme. These overspends will be funded from within existing Directorate budgets.

Capital Slippage

- 3.11 No schemes have reported any slippage at this early stage.

Accounting adjustment

- 3.12 Within Housing, Culture & Enterprise and the Children & Young People's Trust there are PFI schemes for libraries and schools. Under the code of practice on local authority accounting and the introduction of International Financial Reporting Standards (IFRS) in 2010/11, the capital PFI lifecycle costs (for the replacement of components of assets as they wear out) now have to be included in the accounts. The planned programme for lifecycle replacement costs is identifiable from the operator's financial model. The amount identified for libraries is £0.027 million and for schools £0.108 million and these costs have been included in the 2010/11 budget column in appendix 2. The costs are funded by a contribution to capital from the revenue budget.

Capital Receipts

- 3.13 Capital receipts are used to support the capital programme. For 2010/11 the programme is fully funded, however, any changes to the level of receipts during the year will impact on future years' capital programmes and may impact on the level of future investment for corporate funds such as the Strategic Investment Fund, Asset Management Fund and ICT Fund. Capital receipts (excluding housing) are estimated to be £1.125 million for 2010/11 of which £0.883 million has been received to date which includes the disposal of Cedars Lodge. This leaves £0.242 million of receipts to be achieved during the remainder of the

financial year. Assets are actively being marketed to achieve the level of receipts budgeted for.

- 3.14 The level of sales of council homes through 'right to buy' affected by the current market conditions in house prices and both the higher cost and availability of mortgages in the current economic climate. The Government receive 75% of the proceeds of 'right to buy sales'; the remaining 25% is retained by the council and used to fund the capital programme. The estimated useable receipts for 'right to buy' sales is £0.492 million for this financial year and to date £0.078 million has been received.

Comments by the Director of Finance & Resources

- 3.15 The forecast outturn position on the revenue budget shows an improvement since month 2, the largest factor being an improved position on the corporate critical looked after children budget. Prompt action was initiated following the month 2 forecast to ensure rigorous review of the delivery of the planned VFM savings targets and to develop further financial recovery plans. It is expected that those financial recovery plans will further improve the forecasts on individual directorate budgets. When there is greater certainty about the robustness of the forecast recovery actions and further evidence of their delivery savings will be incorporated into the TBM projections.

4. CONSULTATION

- 4.1 No specific consultation was undertaken in relation to this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The financial implications are covered in the main body of the report.

Legal Implications:

- 5.2 In reaching its decisions in relation to its budget, the Council needs to have regard to a number of general points. It must provide the services, which, statutorily, it is obliged to provide. Where there is power to provide services, rather than a duty, it has discretion to provide such services. It must observe its other legal duties, such as the duty to achieve best value and comply with the Human Rights Act 1998. It must act in accordance with its general fiduciary duties to its Council Tax payers to act with financial prudence. Finally, it must bear in mind the reserve powers of the Secretary of State under the Local Government Act 1999 to limit Council Tax & precepts.

Lawyer consulted:

Oliver Dixon

Date: 05/09/10

Equalities Implications:

- 5.3 There are no direct equalities implications arising from this report.

Sustainability Implications:

5.4 There are no direct sustainability implications arising from this report.

Crime & Disorder Implications:

5.5 There are no direct crime & disorder implications arising from this report

Risk & Opportunity Management Implications:

5.6 The council's revenue budget and Medium Term Financial Strategy contain risk provisions to accommodate emergency spending, even out cash flow movements and/or meet exceptional items. The council maintains a working balance of £9 million to mitigate these risks as recommended by the Audit Commission and Chartered Institute of Public Finance & Accountancy (CIPFA). The council also maintains other general and earmarked reserves and contingencies to cover specific project or contractual risks and commitments.

Corporate / Citywide Implications:

5.7 The Council's financial position impacts on levels of Council Tax and service levels and therefore has citywide implications.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The forecast outturn position on council controlled budgets is an overspend of £0.788 million; any end of year overspend will need to be funded from general reserves which would then need to be replenished to ensure the working balance did not remain below £9 million. Directorates have developed financial recovery plans so that a break even position is achieved.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 Budget monitoring is a key element of good financial management, which is necessary in order for the council to maintain financial stability and operate effectively.

SUPPORTING DOCUMENTATION

Appendices:

1. Directorate Revenue Outturn Forecasts
2. Capital Outturn Position
3. Summary of New Capital Schemes
4. Summary of Variations to Budget
5. Internal Movements within CYPT

Documents in Members' Rooms

None

Background Documents

None

Adult Social Care

Forecast Outturn Month 2 £'000	Division	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
413	Adult Social Care	36,304	36,616	312	0.9%
413	Total	36,304	36,616	312	0.9%

Explanation of Key Variances

The forecast overspend of £0.312 million assumes the achievement of a significant service improvement programme of which the Value for Money Project is the most important element. The service improvements are expected to deliver planned savings of £1.811 million and within this the Value for Money Project is forecast to achieve its target of £1.3 million of savings in the current financial year. This is in the main due to a very successful re-ablement strategy.

The overspend is mainly attributed to the Physical Disabilities community care budget. There is an overspend of £0.253 million as a result of the complex caseload and expected 508 Whole Time Equivalent (WTE) placements compared with budget assumption of 463 WTE placements. There is also a forecast increase of 45 WTE placements in Home care. Regular monitoring and reviews are being carried out to address the in year pressures. Projected growth of 27 WTE is included which may not materialise and these assumptions are being constantly reviewed.

To date, further potential recovery actions of up to £0.175 million have been identified including vacancy management and associated agency staffing controls and maximising the use of existing grants. These will be included in future TBM forecasts when there is more certainty that they will be realised.

Children & Young People's Trust

Forecast Outturn Month 2 £'000	Division	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
(495)	Director	3,855	3,340	(515)	-13.4%
819	Area Integrated Working	28,591	29,211	620	2.2%
241	Learning , Schools & Skills	4,046	4,339	293	-7.2%
2,226	Commissioning & Governance	14,128	15,383	1,255	8.9%
2,791	Total	50,620	52,273	1,653	3.3%

Explanation of Key Variances

Director (£0.515 million underspend) - this budget area relates to the staffing budget of the Director, Assistant Directors and admin support teams. The underspend mainly relates to the decision made by Cabinet in July to reprioritise £0.434 million from unallocated Dedicated Schools Grant (DSG) money to offset the overall directorate overspend. The remaining £0.034 million of this is being used to fund Information Management within the Commissioning & Governance branch. In addition, there are savings of £0.095 million on an Assistant Director's post and £0.020 in other areas.

Area Integrated Working (£0.620 million overspend) - this branch leads on the development of integrated area working, including early intervention and prevention. Area working includes the Youth Service, Children's Centres, Education Psychology Service (EPS), Education Welfare Service (EWS), frontline social work teams; Leaving Care team and the Fostering Service.

The overspend in this branch relates to two main areas: Legal fees and Area Social Work Teams. Legal fees are currently forecast to overspend by £0.440 million. Legal expenses have increased due to changes in the law by the Public Law Outline (PLO). This is due to several factors, primarily the significant increase in the number of children being referred for care proceedings in line with national trends. In addition to this, the Court Fees have been increased by the Ministry of Justice and the cost of the Court issue Fee has increased from £175 to over £4,000 per fully contested case.

The children's social work teams continue to be under pressure because of their statutory duties around child protection and looked after children's duties. There also continues to be a churn in frontline social workers leaving from the most pressurised teams i.e. the children's social work front doors. As a result of both of these factors the majority of the projected overspend within this area of £0.474 million is mainly due to agency social work staff. The branch has a robust rolling programme of recruitment and retention including a bursary scheme to attract newly qualified social workers from the universities. We are presently recruiting to this year's bursary programme for Sept 2010. This intake of newly qualified social workers will help towards reduction on dependency on agency social workers.

Learning, Schools & Skills (£0.293 million overspend), the main area of overspend in this area relates to disability agency placements £0.285million.

Commissioning and Governance (£1.255 million overspend) - this branch is responsible for producing and monitoring the Children and Young people's Plan and the effective operation of the council's Section 75 Agreements with our health partners for the joint commissioning and provision of integrated children's services. In addition, the branch is responsible for the commissioning and procurement of fostering and residential agency placements for individual children and the oversight and monitoring of associated budgets. The number of placements, and level of expenditure, relates directly to the significant and sustained level of referrals to social care (at times up to 61%) following the Baby P case and the Laming recommendations. This has resulted in a **33%** increase in the number of children with a child protection plan and a **12%** increase in the number of looked after children between **July 2009 and May 2010**.

The forecast at month 2 showed under-achievement of £0.570 million of the budgeted Value for Money savings. At that stage it was too early to have certainty that they would be delivered, however two months further into the year and there is now sufficient confidence for the forecast to show this being achieved in full. The VFM plan focuses on strengthening preventive services and streamlining social work processes including:

- increasing the use of the Common Assessment Framework to provide universal and (lower level) tier 2 services to children and families in need
- driving the implementation of the 'Think Family' approach to plan more effective support and/or interventions for families with the most complex needs
- introducing a tiered approach to manage social care referrals from other agencies including the remodelling of social work duty systems and the reinstatement of area and specialist resource panels or similar mechanisms
- improving the commissioning and procurement of expert assessments in care proceedings, strengthening arrangements for early permanence planning and increasing the numbers of in house foster placements able to provide tier 1 care

Consistent with other areas of the council it is expected that further tight control on staffing costs, whether directly employed or through agencies will further help reduce the overspend.

Finance & Resources

Forecast Outturn Month 2 £'000	Division	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
(180)	Finance	6,019	5,831	(188)	-3.1%
50	Customers & Information	9,336	9,024	(312)	-3.3%
122	Property & Design	3,471	3,622	151	4.4%
(8)	Total	18,826	18,477	(349)	-1.9%

Explanation of Key Variances

Finance is forecasting an underspend, due to the service winning the contract to supply financial services to the South Downs National Park and savings generated from a staffing restructure.

Within Customers & Information there is a cost pressure of approximately £0.075 million on income within Bereavement Services, which is being partly offset by staff savings. Housing Benefits are expected to achieve additional income of £0.350 million based on current subsidy arrangements. This is due to a successful focus on reducing the error rates made in benefit payments and recovering overpayments.

Property and Design are forecasting a shortfall on rental income of £0.183 million mainly due to lower than expected income from rent reviews. The saving from the under 100kw site electricity contract and from the gas contract which both started in April 2010 over and above that assumed at the time the budget was set has been estimated to be approximately £0.032 million.

Strategy & Governance

Forecast Outturn Month 2 £'000	Division	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
-	Equalities & Communities	2,322	2,317	(5)	-0.2%
-	Performance & Analysis	642	642	-	0.0%
-	Legal & Democratic Services	3,107	3,107	-	0.0%
-	Policy Unit	918	918	-	0.0%
-	Human Resources	4,149	4,200	51	1.2%
-	Executive Office	379	379	-	0.0%
-	Communications	488	557	69	14.1%
-	Total	12,005	12,181	115	1.0%

Explanation of Key Variances

The directorate had a plan in place to deliver the savings of £0.412 million identified in the budget strategy. However, emerging pressures within Communications and Human Resources cannot be fully addressed as at TBM 4. Within Communications there are salary and other service pressures, it is anticipated that these will be partially offset by income surpluses, project contributions from other directorates, and from the communications Value for Money review reducing the net overspend to £0.069 million. Within Human Resources salaries service pressures are offset by income giving a net position of £0.086 million, an underspend within the Director budget of £0.35 million gives the position of £0.051 million overspend.

The directorate is reviewing all services in order to meet the £0.115 million projected overspend and the following additional management actions will be put in place to address the potential overspend.

- All services are ensuring that all internal and external income is maximised. Communications in particular is finalising the collection of payments for work streams
- Over 80% of all spend within S&G is on salaries. All service areas are actively managing vacant posts where possible in order to reduce costs. In particular HR are managing carefully the number of temporary staff as the new HR system comes into operation. The forthcoming introduction of the manager self serve will further increase the scope of greater in year savings and a reduction in the current projected overspend.
- The Communications Team are expecting to make further savings in year through their VFM program.
- All service areas are committed to reducing all non essential expenditure internal and external expenditure.

Environment

Forecast Outturn Month 2 £'000	Division	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
-	City Services	29,912	29,993	81	0.3%
-	Sport & Leisure	1,937	1,937	-	0.0%
467	Sustainable Transport	(1,362)	(956)	406	29.8%
50	City Planning	6,839	7,149	310	4.5%
517	Total	37,326	38,123	797	2.1%

Explanation of Key Variances

City Services is forecasting an overspend which is due in the main to additional security measures and rubbish clearance at the Horsdean Travellers Site.

Within Sustainable Transport there continues to be a fall in the number of Penalty Charge Notices being issued, this is in line with the nationally recognised trend for improved compliance leading to the issuing of fewer tickets. The shortfall from PCN's is forecast to be £0.620 million net of the bad debt provision. On-street parking income is also forecast to under achieve budget by £0.105 million. Off Street parking is forecast to generate £0.280 million additional income, which is due to improved usage at The Lanes and London Road Car Parks following their refurbishments. This income is over and above what was assumed in the original business case for the refurbishments which was used to finance the up front investment required.

City Planning is forecasting an overspend due to loss of grant income including SEEDA funding and a shortfall in Building Control fee income.

To date, potential recovery actions of up to £0.645 million have been identified and will be included in future TBM forecasts when there is greater certainty about their deliverability. Actions include reducing expenditure on consultants, vacancy management, controls on supplies and services expenditure, and reducing energy costs on the transport network.

Housing, Culture & Enterprise

Forecast Outturn Month 2 £'000	Division	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
0	Tourism & Venues	1,636	1,726	90	5.5%
0	Libraries & Information Services	4,172	4,172	-	0.0%
0	Royal Pavilion & Museums	2,567	2,567	-	0.0%
0	Culture & Economy	3,349	3,308	(41)	-1.2%
0	Major Projects & Regeneration	355	355	-	0.0%
0	Housing Strategy	4,478	4,478	-	0.0%
0	Total	16,557	16,606	49	0.3%

Explanation of Key Variances

The forecast overspend of £0.049 million relates to a forecast overspend on Tourism and Venues offset by vacancy management savings within Culture & Economy.

The income forecast for the Brighton Centre is on target but there is an expected shortfall of income on the Hove Centre of £0.020 million and a pressure on contract costs on the Brighton Centre of £0.070 million. Income potential will continue to be reviewed to address this pressure.

The Royal Pavilion & Museums are forecasting break even and are on target to achieve their income target for 2010/11.

Housing Strategy is on target to breakeven, the loss of Supporting People Admin grant of £0.164 million is being covered by vacancy management and one-off under-spends on the Supporting People Welfare grant.

Centrally Managed Budgets

Forecast Outturn Month 2 £'000	Division	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
(125)	Bulk Insurance Premia	3,019	2,794	(225)	-7.5%
-	Concessionary Fares	7,712	7,552	(160)	-2.1%
-	Capital Financing Costs	10,446	10,446	-	0.0%
-	Levies & Precepts	201	201	-	0.0%
(2,000)	Other Corporate Items	5,756	3,726	(2,030)	-35.3%
(2,125)	Total	27,134	24,719	(2,415)	-8.9%

Explanation of Key Variances

There is a forecast saving of £0.125 million on insurance premia as a result of the review of annual insurance arrangements for 2010/11 where decisions were made to change the level of the deductible on a number of policies particularly in relation to the motor and refuse fleet. The 2010/11 net saving will vary depending on how many claims we receive during the year and value of each claim. The saving has increased by £0.100 million in the last period, due to a reduction in claims spend and estimated time to settle.

Concessionary Fares is forecasting an underspend, due to the final settlement of additional capacity claims for 2009/10, administrative savings and reduced journey numbers for the first quarter.

Within contingency there is an ongoing risk provision of £1.5 million to cover risks identified particularly in Children's Social Care and Learning Disabilities which have been released corporately to offset the overspends in service departments. A provision of 1% had been allowed in the budget to incorporate both the pay award and the costs of ongoing modernisation of the council's pay and reward structure, based on the latest assumptions £0.500 million is being released to support the in year budget position. In addition to this there is a one off risk provision of £0.500 million to cover the impact of the continuing economic downturn and other pressures.

The costs to the council of severance for the Directors who have recently left their posts of £0.725 million has been funded from a contribution from the Restructure Redundancy Reserve. That reserve will need to be replenished by an estimated £1m at the end of this year. If the council's in-year forecast overspend continues to reduce this should be affordable within the current reserves strategy.

Section 75 Partnerships

Forecast Outturn Month 2 £'000	Division	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
781	Council managed S75 Servs	23,200	23,826	626	2.7%
225	NHS Trust managed S75 Servs	12,328	12,742	414	3.4%
1,006	Total S75	35,528	36,568	1,040	2.9%

Explanation of Key Variances

Council managed S75 services (Learning Disabilities) are forecast to overspend by £0.626 million. The forecast overspend is attributed to:

- Learning Disabilities mainstream- staffing cost pressures £0.061 million
- Learning Disabilities Community Care-forecast overspend of £0.565 million equivalent to 10 Whole Time Equivalents (WTE's) in residential care

The overspend of £0.626 million assumes the achievement the savings identified within the budget strategy.

NHS Trust managed S75 services forecast overspend of £0.414 million based on the following assumptions:

- Sussex Partnership Foundation Trust (SPFT) – Significant overspends on community care budget (Adult Mental Health £0.446 million, Older People Mental Health £0.361 million and Substance Misuse £0.044 million) due to the full year effect of 2009/10 placements offset by vacancy management savings of £0.181 million and assumes the allocation of the joint commissioning pot of £0.450 million held for the development of mental health services.
- South Downs Health Trust (SDHT) – forecast overspend of £0.124 million, due to a staffing pressures on intermediate care services. Options are being explored to deliver savings across a range of service provision.

Sussex Partnership Foundation Trust (SPFT) have developed Financial Recovery Plan to work towards a reduced overspend position. There is ongoing dialogue with SPFT on management of placements.

Generally, the S75 Partnership Agreements require the Integrated Service Providers (Sussex Partnership Foundation Trust and South Downs Health Trust) to manage in-year cost pressures and carry this risk, subject to any agreement by the partners to vary risk-sharing provisions within the agreements. Commissioners are working closely with partners to ensure that robust financial management is in place and to agree a risk share position.

Housing Revenue Account (HRA)

Forecast Outturn Month 2 £'000	Housing Revenue Account	2010/11 Budget Month 4 £'000	Forecast Outturn Month 4 £'000	Forecast Variance Month 4 £'000	Forecast Variance Month 4 %
43	Employees	9,187	9,119	(68)	-0.7%
-	Premises – Repair	11,468	11,402	(66)	-0.6%
32	Premises – Other	3,110	3,131	21	0.7%
(48)	Transport & Supplies	2,033	2,052	19	0.9%
(10)	Support Services	2,153	2,133	(20)	-0.9%
-	Third Party Payments	54	54	-	0.0%
-	Revenue contribution to capital	3,543	3,543	-	0.0%
-	Capital Financing Costs	3,729	3,613	(116)	-3.1%
(121)	Subsidy Payable	12,925	12,941	16	0.1%
(104)	Net Expenditure	48,202	47,988	(214)	-0.4%
-	Dwelling Rents (net)	(41,613)	(41,627)	(14)	0.0%
4	Other rent	(1,318)	(1,263)	55	4.2%
100	Service Charges	(4,034)	(3,882)	152	3.8%
-	Supporting People	(497)	(475)	22	4.4%
-	Other recharges & interest	(740)	(703)	37	5.0%
104	Net Income	(48,202)	(47,950)	252	0.5%
-	Total	-	38	38	

Explanation of Key Variances

The forecast for month 4 is an overspend of £0.038 million.

Further analysis of the variances as at month 4 are as follows:

- The employees forecast has reduced to an underspend of £0.068 million mainly due to vacancy management savings across the Housing Service.
- The Premises Repairs forecast underspend of £0.066 million relates to the service contracts area where various contracts are being retendered during this financial year.
- Capital Financing costs are forecast to underspend by £0.116 million due to forecast interest rates for the year being lower than the assumptions used for budget setting.
- Leaseholder service charges income is projected to underachieve by £0.121 million. This projection has been forecast following analysis of last year's outturn which has shown that the charges are likely to be less than budgeted for.

Item 40 Appendix 1

- The Temporary Accommodation budget is forecast to overspend by £0.124 million in relation to unrealised savings in the Temporary Accommodation budget due to the delay of the commencement of the LDV. The budget for 2010/11 had been set assuming that the temporary accommodation properties would be leased in batches during 2010/11 to the LDV. The forecast for Temporary Accommodation is included in the various relevant subjective headings in the summary outturn table above. The Housing Management Team have developed a cost reduction plan to identify cost efficiencies to reduce the impact of this overspend.

CAPITAL OUTTURN POSITION

Directorate	2010-11 Budget £'000	2010-11 New Schemes £'000	2010-11 Variations £'000	2011-12 Slippage £'000	2010-11 Budget £'000	2010-11 Outturn £'000	2010-11 Overspends £'000
Strategy & Governance	983				983	983	-
Housing, Culture & Enterprise	11,709	199			11,908	11,908	-
Finance & Resources	4,255	93			4,348	4,348	-
Adult Social Care	284	497			781	781	-
Housing Revenue Account	25,545	300			25,845	25,845	-
Children & Young People's Trust	49,715	141	363		50,219	50,230	11
Environment	14,344	920	(372)		14,892	14,952	60
Total Council Budgets	106,835	2,150	(9)	-	108,976	109,047	71

SUMMARY OF NEW CAPITAL SCHEMES

New Schemes Summary	2010/11 Budget £'000
Housing, Culture & Enterprise New Schemes over £50,000 (detailed in appendix)	499
Finance & Resources New Schemes over £50,000 (detailed in appendix)	93
Children & Young People's Trust New Schemes over £50,000 (detailed in appendix) Longhill Fitness Equipment	100 41
Adult Social Care New Schemes over £50,000 (detailed in appendix)	497
Environment Detailed Reprofiles in appendix 4 (over £50,000)	920
Total Changes to Budgets	2,150

Housing, Culture & Enterprise

 Directorate: Housing, Culture & Enterprise

New Budget: £300,000

Project Title: Commissioning of HRA Temporary Accommodation

This scheme is seeking funding from the HRA general reserves of £0.300 million to 're commission' 46 HRA empty dwellings for re use as temporary accommodation

The HRA has a number of empty Temporary Accommodation properties and other properties requiring major works. An analysis of these empty dwellings has identified that 46 of these properties could be put back into use for a reasonable cost.

The cost of bringing 46 units back into use as temporary accommodation is £0.300 million and can be analysed as follows:-

- 1) 15 existing family sized homes at a cost of £0.090 million.
- 2) The refurbishment of the temporary accommodation block at 58 York Road (currently 6 units) into self contained flats at a cost of £0.160 million.
- 3) 25 temporary accommodation dwellings 're-commissioned' in their existing layouts at a cost of £0.050 million.

Directorate: Housing, Culture & Enterprise

New Budget: £199,320

Project Title: Replacement of Libraries booking system

Brighton & Hove Libraries are part of the South East Library Management System (SELMS) the largest consortium in Europe that was successfully leveraged to procure the current library management system. Since joining SELMS the group has expanded from 6 to 12 members and now services a population of 6 million.

Further investment is required in Libraries services to enable Brighton & Hove Libraries to continue to deliver the excellent service and increase the value for money of those services.

Project Proposal

- i) Replacement of public PC bookings and print management system
- ii) Replacement and enhancement of self service provision within Jubilee and Hove libraries
- iii) Introduction of a digital downloads service

The implementation of the proposed projects is core to the Library Service aim to improve customer experience, drive value for money and to be part of delivering a council the city deserves. This is delivered via an enhanced customer experience through updated single point of delivery interfaces and in the reduced need for the customer to interact with staff by expanding the self service opportunities. Further customer experience improvements are derived from 24/7 access to digital holdings which can be accessed from anywhere in the world by a registered borrower.

The scheme will be funded from a combination of unsupported borrowing £0.164 million and a revenue contribution of £0.035 million. This is delivered by a reduction in the cost of annual maintenance contracts, the procurement of standards based, service enhancement without additional staffing costs and the reduction in spend on replacement media for lost or damaged audio/video stock. Failure to proceed with the project is forecast to cost the Libraries service a minimum of £0.375 million over the 5 years repayment period.

Finance & Resources

Directorate: Finance & Resources
Project Title: New Coroners Court

New Budget: £93,000

The city council has a statutory duty to provide a Coroner for the District of Brighton & Hove, which also necessitates a service to support the duties of the Coroner. As part of their duties, the Coroner must hold inquests to establish who a deceased person was, when and where the person died and how the person died.

The Coroner currently uses their own office for holding smaller inquests, but this is not satisfactory as the facilities are very limited. (for example, there is no provision or access for people with disabilities). Also, the Coroner has only limited storage capacity, for the retention of her records, in the Coroners Administrative Office and the proposed Coroners Court adjoining this Office will also provide essential storage space as well as an accessible toilet and a suitable entrance for wheelchair users.

A feasibility study has been undertaken to provide a new Coroners Court adjacent to the existing Coroners Office. This would involve rebuilding a groundsman's staffroom at a cost of approximately £0.093 million and re-siting the grounds staff to alternative existing accommodation at the Lawn Memorial Cemetery at Woodingdean. Part of this project will be met by DDA funds with the remainder being met by capital expenditure funded from unsupported borrowing to be met from within existing budgets.

Children & Young People's Trust

Directorate: Children & Young People's Trust
Project Title: Carlton Hill School S106 funding new gas boiler

New Budget: £100,000

A condition was placed on the Amex development under Section 106 which set out a £0.1 million sustainability contribution. The 'sustainability project' was to locally offset carbon emissions from the Proposed Development by the provision of an energy efficient heating system for Carlton Hill Primary School. The Authority has commissioned the replacement of the existing boiler with a new gas condensing boiler. This also necessitated some upgrading of the gas supply, plus associated professional fees. The total cost of the work is approximately £0.120 million. The balance of the expenditure will be met from the New Deal for Schools budget. Work is expected to be completed in time for the forthcoming winter.

Adult Social Care

Directorate: Adult Social Care New Budget: £148,000
 Project Title: Social Care Reform Grant

This is the final year of the Social Care Reform Grant which is to be used by local authorities to assist them with their partners in delivering the transformation of adult social care as set out in 'Putting People First: a shared vision and commitment to the transformation of Adult Social Care' (2007) , and preceding policy documents. For this coming year not only has the Government allocated revenue grant but it has also allocated an additional capital allocation to help councils with some of the associated infrastructure costs.

The grant will be utilised to procure (a) a new rostering system for in-house home care service which has the ability to plan, monitor and support a modernised re-ablement service thus producing efficiencies in both travel time and allowing enhanced contact time with service users; and (b) a partnered system that can deliver "live" rota information to mobile hand-held devices carried by Homecare staff out in the community

Directorate: Adult Social Care New Budget: £349,000
 Project Title: Adaptations for the disabled

The amount reflects the recurrent funding currently available for minor and major adaptations. The provision of adaptations within disabled people's homes contributes to the councils' priority to care for vulnerable people. It is an integral part of our personalisation agenda This expenditure enables people to live for longer within their own home and not have to move into long term residential care, it also reduces the need for the reliance upon home care. It also adds value to hospital discharges and admissions by preventing accidents..

The £349,000 will be financed by the following: £0.150 million from the Department of Health Adult Social Care Capital Allocation for 2010/11 and £0.199 million direct revenue funding contribution from Physical Disabilities budget.

Environment

Directorate: Environment New Budget: £920,000
 Project Title: Purchase of 7 Gritter Vehicles

The current gritter fleet is over 10 years and due for replacement. Maintenance costs have been increasingly high and last winter's severe snow events took their toll on the existing vehicles. The current vehicles are also not all appropriate for operating in

Item 40 Appendix 3

severe snow and ice on the city's hilly roads and are less efficient at spreading salt than more modern counterparts. The environmental impacts of the vehicles are being considered as well as health & safety and practical requirements.

Market testing is in progress to ascertain what is available and what best suits the needs of Brighton and Hove as an urban hilly area with narrow streets. Tender documents will be prepared later this year. Research is taking place into options for carrying out pavement gritting, such as a specialised machine (circa £0.040 million) and/or towable spreaders that could be attached to Cityparks tractors or seafront quad bikes.

Environmental issues as well as health & safety and practical requirements are being considered. Total expenditure will not exceed the £0.920 million reserved in capital funds for Winter Service vehicle replacement.

SUMMARY OF VARIATIONS TO THE CAPITAL BUDGET

Schemes	2010/11 Budget £'000	2011/12 Budget £'000	2012/13 Budget £'000	Total Changes £'000
Environment				
Detailed Variations in appendix 4 (over £50,000)	(372)	(10)	(11)	(393)
Children & Young People's Trust				
Detailed Variations in appendix 4 (over £50,000)	363	333		696
Total Changes to Budgets	(9)	323	(11)	303

Detailed explanations of the variations

Environment

Directorate: Environment
Project Title: Playbuilder

Approved Budget: £597,640
Revised Budget: £70,970
Variation: £(526,670)

As stated in the 2010/11 in-year government grant reductions report the Department for Education has instructed local authorities not to incur any future contractual liabilities in relation to Playbuilder. The Council had an allocation of £0.598 million allocated in 2010/11. However the funding is now being cut and this will change the position to a estimated revised budget of £0.070 million for the existing commitments. There are no budgets for Playbuilder beyond 2010/11 as the following table shows.

2010/11 £'000	2011/12 £'000	2012/13 £'000	Total £'000
(527)			(527)

There are a small number of improvements planned to play facilities that were funded from other sources for example s106 agreements and these will still go ahead.

Directorate: Environment	Approved Budget: £483,400
Project Title: Hollingdean Depot	Revised Budget: £638,410
	Variation: £155,010

Hollingdean Depot is the operational base for Cityclean and requires considerable investment over a four year period to maintain both operational and health and safety requirements. Initial works commenced in 2009/10 with the majority of works profiled for 2010/11 to 2012/13. A total of £0.638 million is identified for 2010/11 in connection with site enabling, repairs and fire safety works. A total of £0.150 million has been identified to be met from the Planned Maintenance Budget and £0.488 million from unsupported borrowing. The financing costs associated with the borrowing will be met from existing revenue budgets. The following table shows the changes for 2010/11 onwards.

2010/11 £'000	2011/12 £'000	2012/13 £'000	Total £'000
155	(10)	(11)	134

Children & Young People's Trust

Directorate: CYPT	Approved Budget: £17,176,710
Project Title: Falmer Academy	Revised Budget: £17,539,460
	Variation: £362,750

This is a combination of three funding sources. The utilisation of the budget from the Strategic Investment Funding (SIF) towards project management costs of £0.2 million. Also an increase in the budget of £0.110 million in respect of the Environment Improvement Grant for works to be carried out improving the site before September 2010. Lastly an increase in the budget in respect of additional funding from the DfE for irrecoverable VAT on the ICT contract, estimated to be £0.053 million in 2010/11 and £0.333 million in 2011/12. The following table shows the changes for these elements of the scheme over the three years.

2010/11 £'000	2011/12 £'000	2012/13 £'000	Total £'000
363	333		696

Internal movements within Children & Young People's Trust

Further to the approval by Members of the Children & Young Peoples Trust capital budgets at Cabinet Members Meeting on 26 April 2010, approval is sought for the following changes within the Directorate.

Virement Summary	From 2010/11 Budget £'000	To 2010/11 Budget £'000	Total Changes £'000
Children & Young People's Trust			
New Pupil Spaces 2010/11	(669)		(669)
Primary Programme		669	669
Basic Needs Safety Valve Funding	(5,700)		(5,700)
Primary Programme		5,700	5,700
Targeted Capital Fund	(257)		(257)
Falmer Academy		257	257
Targeted Capital Fund	(700)		(700)
Whitehawk Co-location		700	700
NDS Modernisation 2010/11	(300)		(300)
Whitehawk Co-location		300	300
Total Changes to Budgets	(7,626)	7,626	-

These changes will enable the Directorate to fully utilise the available capital resources by moving the budgets to where the need is greatest. Approval of these virements will improve monitoring of the various funding streams available for the projects scheduled for 2010/11. Adequate management information will still be available for grant claim purposes.

OVERVIEW AND SCRUTINY COMMISSION 19 October 2010

Brighton & Hove Strategic Partnership 2010

Contents:

1. **Introduction to the Brighton & Hove Strategic Partnership**
2. **“Creating a City of Opportunity”:**
 - 1.1 Completion and launch of the Sustainable Community Strategy
 - 1.2 The Brighton & Hove Strategic Partnership Website
3. **Brighton & Hove Strategic Partnership’s Role in Intelligent Commissioning:**
 - 2.1 Partnership Delivery Workshops
 - 2.2 The Role of Partnerships in Commissioning
4. **New & Future Partnership Arrangements:**
 - 3.1 Setting up of Transport Partnership
 - 3.2 Creation of the Local Enterprise Partnerships (LEP)
 - 3.3 The Health & Wellbeing Board
5. **Major Strategies adopted & Owned by the LSP:**
 - 4.1 The 10:10 Campaign
 - 4.2 The City Volunteering Strategy
 - 4.3 The Community Engagement Framework
 - 4.4 The Housing Strategy
 - 4.5 The Consultation Portal
 - 4.6 Advice & Information Services
6. **Central Government Changes:**
 - 5.1 Abolition of Comprehensive Area Assessment (CAA) and the Audit Commission
 - 5.2 Reduction of National Indicators
 - 5.3 Future of the Local Area Agreement (LAA)

5.4 Abolition of South East England Development Agency (SEEDA)

5.5 Abolition of Government Office South East (GOSE)

Introduction to the Brighton & Hove Strategic Partnership

The LSP for Brighton & Hove is called the Brighton & Hove Strategic Partnership.

Brighton and Hove Strategic Partnership

- Is the overarching strategic partnership for Brighton and Hove
- Brings together at a local level the different parts of the public sector as well as the private, business, community and voluntary sectors so that different initiatives and services support each other and work together
- Is a non-statutory partnership
- Provides a single overarching local co-ordination framework within which other partnerships can operate
- Is responsible for developing and driving the implementation of Community Strategies and Local Area Agreements (LAA's)

BHSP has four board meetings per year. The meetings are open to the public. Dates, times and venues are available at www.BandHSP.co.uk.

Contact the Partnership

C/o Independent Secretariat, Partnerships & External Relations Team,
King's House, Grand Avenue, Hove, BN3 2LS

Tel: 01273 291128

Email: info@bandhsp.co.uk

Contact the Chair

Roger French– contact through Secretariat's Office

“Creating a City of Opportunity”

1.1 Completion and launch of the Sustainable Community Strategy

Partnership groups and local authority departments were invited to update their relevant areas interest within the Sustainable Community Strategy during early 2009. This produced a first draft of the document that went out to a 12 week public consultation process from which a subsequent 2nd and then final draft were refined.

This document features a substantial number of innovative & exciting projects, it also features just over 100 ‘Issues of Concern’ which provide a realistic grounding upon which the strategy is built.

Each chapter provides clear actions of how the issues of concern will be addressed and evidence how the partnership's actions outlined within the strategy are the drivers behind the theme of ‘*creating the city of opportunities*’.

With new performance arrangements being developed during 2010, we decided to remove the targets section from each chapter as they would be quickly rendered out of date within the printed version of the document.

Chapter 8 ‘Providing Quality Advice & Information Services’ was refocused from its previous title of ‘Providing Quality Services’ to highlight the coordination of advice and information service across Brighton & Hove Strategic Partnership members and how these make a positive difference to residents lives and the city as a whole. (See page 11 for more information on this area)

As the Sustainable Community Strategy is an amalgamation of the many different strategies of the thematic partnerships and city council, their influence is present throughout the document including:

- Housing Strategy 2009-2014 healthy homes, healthy lives, healthy city

- Children & Young People Work Plan 2009-12
- Community Safety, Crime Reduction and Drugs Strategy 2008 - 2011.
- Brighton & Hove Economic Strategy 2008-2016
- Local Development Framework Core Strategy

Consistently embedded throughout the document is the theme of equalities. The updated strategy is subject to a full Equalities Impact Assessment and the Partnerships Team worked closely with the City Inclusion Partnership and the city councils Equalities Team to ensure that equalities aspects are adequately addressed throughout the document.

On Wednesday 19th May 2010, the Partnerships Team held a launch event for the Sustainable Community Strategy in which over 150 partners from across all sectors attended.

1.2 The Brighton & Hove Strategic Partnership Website

The current website of the Brighton & Hove Strategic Partnership is largely a reiteration of the strategy in online form. Combined with other existing information systems, the data available provides a valuable tool to visually see the links between the content of the strategy contextualised to any part of Brighton & Hove.

Whilst the printed strategy document forms an important 'line in the sand' the fluid nature of its website will enable the Brighton & Hove Strategic Partnership to enjoy a consistent up-to-date online presence.

<http://www.bandhsp.co.uk/>

Brighton & Hove Strategic Partnership's Role in Intelligent Commissioning

2.1 Partnership Delivery Workshops

In April 2010, the Public Service Board agreed to a proposal put forward by the Head of Partnerships and the Head of Performance and Analysis to run a series of workshops with all of the thematic partnerships over the summer.

The agreed outcomes for the workshops are outlined below:

- improved ways of partnership working to achieve better outcomes

- begin the discussion across partnerships about the new performance management arrangements (the LAA or its replacement) to track the delivery of outcomes

With a focus on changing both culture and process this project is therefore essentially a city conversation with the following key objectives:

- mapping and understanding the complexity of current partnership activity
- challenging current partnership delivery arrangements and identifying new ways of working
- identifying emerging priorities for 2011-15
- agreeing the new LAA/city performance management in the context of the new intelligent commissioning framework

We are intending that the final report (Dec/ Jan 2011) will address the following;

- a prioritised list of aims that when delivered over the next 3 years will directly contribute to the longer term strategic outcomes for the City
- improved lines of accountability between partnerships, organisations and officers
- identification of gaps or duplication in our needs analysis, engagement activities or service delivery
- ideas for future co- production initiatives or innovation
- improved performance measurement and approaches to improvement

Since the PSB agreed this approach the national and local context has been changing and remains unclear. The spending review in October should provide further clarity on resources available to deliver services locally and national expectations. The future of the Local Area Agreement is unclear and many of the measures and mechanisms for monitoring have been abolished. This provides an opportunity to locally define a more meaningful set of activities and measures to meet our agreed outcomes. However, this is also very challenging and the workshops are the first opportunity to discuss together the impact of these changes.

2.2 The Role of Partnerships in Commissioning

An Initial examination of the partnerships has been undertaken as a desk top exercise, looking at the individual partnerships' terms of reference and available information. From there more detailed questioning of the organisations and stakeholders involved in each partnership have taken place. Interviews with

organisations/stakeholders that control or have substantial influence of financial and other resources have taken place.

New & Future Partnership Arrangements

3.1 Setting up of Transport Partnership

The Transport Partnership was established in October 2009, with the first two meetings being held on 3rd and 24th November.

The Partnership produced a chapter for the Sustainable Community Strategy that was brought to the LSP for sign-off as part of the completed document.

The Partnership has decided to start afresh with the chapter rather than undertake a re-write of the chapter that was circulated within the 1st draft of the sustainable Community Strategy. This allowed the chapter to reflect the input from across the partnership and also incorporate content from other LSP partners. For the Transport chapter to form part of the completed document, it needed to be agreed by mid February. This allowed it to be incorporated into the final document in time for sign-off and adoption by the LSP and Local Authority in March 2010.

3.2 Creation of the Local Enterprise Partnerships (LEP)

The Local Enterprise Partnerships will provide the strategic leadership in their areas to set out local economic priorities. A clear vision is vital if local economic renewal is to be achieved. The Coalition Government is determined to rebalance the economy towards the private sector. We regard local enterprise partnerships as being central to this vision.

Partnerships will therefore want to create the right environment for business and growth in their areas, by tackling issues such as planning and housing, local transport and infrastructure priorities, employment and enterprise and the transition to the low carbon economy. Supporting small business start-ups will therefore be important. They will want to work closely with universities and further education colleges, in view of their importance to local economies, and with other relevant stakeholders. In some areas, tourism will also be an important economic driver. This will therefore have implications for business representation and influence on the LSP.

3.3 The Health & Wellbeing Board

The Government plans to strengthen the local democratic legitimacy of the NHS. By building on the power of the local authority to promote local wellbeing, this will be able to establish new statutory

arrangements within local authorities – which will be established as "health and wellbeing boards"– to take on the function of joining up the commissioning of local NHS services, social care and health improvement. These health and wellbeing boards will allow local authorities to take a strategic approach and promote integration across health and adult social care, children's services, including safeguarding, and the wider local authority and partnership agenda.

Major Strategies adopted & Owned by the LSP

4.1 The 10:10 Campaign

Brighton & Hove 10:10 is a high profile city wide campaign, building on the profile and success of the national 10:10 campaign, to engage the local population to take action to cut their carbon footprint by 10% in 2010 and to build on that success to help Brighton & Hove become the UK's first low-carbon city.

Working from the ground up, Brighton & Hove 10:10 is bringing together a community coalition of citizens, businesses, organisations and local government all committed to turning the city into a centre of community- led action to combat climate change.

Success is a measured reduction in carbon emissions inside the homes, businesses, organisations and communities that have signed up to the campaign and an active and engaged local community ready to work together to continue to take action to cut carbon emissions.

The campaign was adopted at the Brighton & Hove Strategic Partnership meeting in December 2009 where all partners expressed their support.

4.2 The City Volunteering Strategy

Following a proposal from the Community and Voluntary Sector ChangeUp Consortium, the City Employment and Skills Steering Group (one of BHSP's family of partnerships) commissioned the sector to write a volunteering strategy for the City.

The strategy appendices include details of the methodology and the extensive consultation carried out that informed the strategy. They also include details of the Steering Group which was primarily made up of volunteering brokerage agencies and the City Council.

Although coming through the CESSG route to the Strategic Partnership the strategy has taken an holistic approach and covers all aspects of volunteering. Although volunteering has a significant impact on employability it addresses six of the eight Strategic Partnership target areas and has a significant impact on quality of life for the beneficiaries of volunteering, the volunteers, the organisations that host volunteers and the wider community.

The volunteering strategy sets out six strategic priorities with some indicators of what success will look like. The next phase of the work will involve the development of a detailed action plan. To write this there is a need to engage all of the commissioners who have, or should have, an interest in volunteering so that actions agreed are resourced, realistic and achievable. This work will continue to be headed by the City Volunteer Centre.

The strategy was adopted by BHSP in March 2010. There was a subsequent development session focussing on the implementation of the strategy in April 2010.

4.3 The Community Engagement Framework

The Framework has been developed to be both a policy document and a practical resource.

As a policy document it sets out the Brighton & Hove Strategic Partnership's commitment to and understanding of community engagement in Brighton and Hove. As a practical resource it provides a clear definition of community engagement and importantly sets specific standards for community engagement that all Partners must adhere to. It identifies the first wave of priority actions that must be taken to improve community engagement in the city.

The Framework will help the Brighton & Hove Strategic Partnership achieve its vision for Brighton and Hove.....

'.... of a dynamic city that improves and protects the environment, meets social needs and promotes sustainable economic success in an inclusive, just and harmonious way'

The Community Engagement Framework is not starting from scratch. We recognise that good community engagement activity has and is happening in the city. However, this is the first time that as a group of public, private and community and voluntary organisations we have produced a common approach to community engagement. Through the production and implementation of the Framework our aim is to raise the profile, improve the quality and achieve better co-ordination

of community engagement. Our purpose is to improve people's lives and the quality of public services, and make better use of resources.

The Framework has been signed up to by all members of the Brighton & Hove Strategic Partnership and therefore applies to all the different partnerships and organisations in the Partnership.

To produce the Framework we listened to what people have told us, reflected on previous and current community engagement in the city and considered research that has already been done here and elsewhere in the country. This includes consideration of recent developments in national government policy and legislation, particularly Government's white paper 'Communities in Control' and the new 'duty to involve' in the Local Government and Public Involvement in Health Act 2007.

We have produced a report on our development process so people can see how we have used their comments and suggestions.

The process to develop the Framework was as important to us as producing the final document. Through the process we have begun to strengthen the trust and relationships between the different organisations, groups and sectors. This has started us on the right path to developing strong and meaningful community engagement that we are all satisfied with.

The production of this document is only the starting point. We see the Framework as our first step towards building better relationships between, and a stronger understanding of, communities in Brighton and Hove. Community engagement is not a single activity; it's a way of working. It's about inclusion and involvement, input and influence. These come with an equal need for responsibility, accountability and a willingness to work with others towards a common goal. As our learning and practice develops, so will the Framework.

The Brighton and Hove Community Engagement Framework:

- Establishes a common understanding of and commitment to community engagement across all organisations, partnerships and sectors in the Brighton & Hove Strategic Partnership
- Sets clear and specific standards for community engagement that all members of the Brighton & Hove Strategic Partnership are signed up to
- Identifies priority actions to be progressed by the Brighton & Hove Strategic Partnership that move us towards achieving the aims of the Framework

4.4 The Housing Strategy

The strategy was adopted in December 2009 where all partners expressed support.

Oversight of the strategy development process has been by the Strategic Housing Partnership of the Local Strategic Partnership which has been acting as the Project Board.

The Housing Strategy is an overarching document that focuses and coordinates a number of other housing related strategies enabling us to maintain our momentum as we address the housing needs of the city into the next decade and providing a consistent drive towards our goals.

It was recognised that the strategy would not be a success if it was carried out in isolation. It sits at the heart of the city's Sustainable Community Strategy and shows how the Council and its partners are working together to address the region's housing pressures and also the needs and aspirations of the city. Ultimately, our Housing Strategy is aimed at:

Enabling healthy homes, healthy lives and a healthy city that reduces inequality and offers independence, choice and a high quality of life

4.5 The Consultation Portal

So far stakeholders and potential users (from the wider Brighton & Hove Strategic Partnership (BHSP), including the Local Authority), have been consulted on their requirements for a consultation portal and were invited to test systems from a range of potential suppliers. The contract for supplying an integrated system has now been awarded to Limehouse Software Limited. The system was available for public view for the first time at the 'Get Involved' launch day at Hove Town Hall on 21st November 2009.

The portal offers a range of features which include:

- a calendar of consultation activity across the city
- details of each consultation and a key contact for more information
- findings from consultations
- on-line consultation activity (e.g. questionnaires; vox pops; focus-groups etc)
- examples of good practice activity
- databases of consultees and their interests
- being able to work on shared documents
- links to other relevant websites, consultations

The portal provides two main functions – a place for undertaking consultation and a hub for signposting to anything else that is not contained within it

As part of this process the consultation portal will also link to the BHSP website; to Interplan (performance reporting tool); and the Brighton and Hove Local Information Service (BHLIS) website (www.bhlis.org).

This item came to the LSP in May 2010.

4.6 Advice & Information Services

The new Sustainable Community strategy contains, for the first time, a specialist chapter on providing advice and information services. This change reflects the Partnerships belief that the provision of good quality advice and information services is one of the key strategic drivers moving people from Social Exclusion to Social inclusion. This work crosses all sectors boundaries, and affects all sections of the population at different times. In co-ordinating this work, the LSP is making the most effective and efficient use of limited resources across the City.

A brief description of the developments that have brought us to this position are outlined below

Advice Services Strategy Group (ASSG), 2006 – 2010:

- Kept 'Legal Advice' focus of Community Legal Service Partnership but extended membership to include other relevant partners e.g. health
- Formalised relationship with Local Strategic Partnership and Advice services network.
- Supported & resourced by the Advice Strategy Project April 2009-2011 following successful bid to the lottery.

2009 Advice Coordination Meetings:

- Convened and Facilitated by the Partnership Team to scope co-ordination of a wide range of advice and information services. These include health services, Careers services, including advice , information and guidance, Family Pathfinder services, library services, and community safety services
- Included ASSG members and other partners such as adult learning & libraries
- Led on drafting of Priority Area 8 of the Sustainable Community Strategy: 'Quality Advice and Information Services'

Advice Partnership, 2010 onwards:

- Outcome focused

- Wide range of information and Advice Partners
- Accountable to LSP for delivery of Priority Area 8 'Quality Advice and Information Services'

Central Government Changes

5.1 Abolition of Comprehensive Area Assessment (CAA) and the Audit Commission

Comprehensive Area Assessment (CAA) was the new framework for the independent assessment of local public services in England. In May 2010 the new coalition government announced that they would abolish CAA.

On 13 August 2010, the Secretary of State for Local Government announced the intention to disband the Audit Commission.

The CAA represented a fundamental change in the approach to inspection, reflecting the changes in local public services in recent years and in the environment in which they work.

The CAA provided an independent assessment of how well people are being served by their local public services. It focused on how well these services, working together, are achieving improvement and progressing towards long-term goals. At its heart is a new area assessment in which the inspectorates provided their joint view on the short, medium and long-term prospects for better results for local people. This was linked to assessments of the performance and value for money provided by the individual public bodies serving the area carried out by the relevant inspectorates. This document deals in detail with the area assessment and the organisational assessment of local councils.

The CAA was largely led by and focused on the BHSP. Its removal required the BHSP to help develop a robust method of ensuring improvements in performance of public services across the city.

5.2 Reduction of National Indicators

Following the 2010 Budget, 18 indicators were removed from the National Indicator Set with effect from 1 April 2010. This is in line with commitments made in the [Putting the Frontline First: Smarter Government \(PDF, external link\)](#) to remove indicators that were no longer relevant or needed. Further detail and FAQs can be found in CLG's [Smarter Government \(external link\)](#) paper.

5.3 Future of the Local Area Agreement (LAA)

The Local Area Agreements are a contract between central and local government and major local delivery partners to deliver the priorities of local people. Following the general election in May 2010, the future of LAAs are no longer certain.

The current LAA will run from 2008–2011. Whilst they could be extended, it is likely that the approach to a contract between central government and local public agencies will be revisited and a new approach developed in the future

The lead for the LAA at the local level is the Local Strategic Partnership (LSP). The LAA priorities are taken from the sustainable community strategy (SCS). These priorities are translated into a set of up to 35 national targets drawn from a group of 198 national indicators (See the above point for more information on National Indicators). They are the basis of a single performance reporting system for local authorities to central government. They can also be supplemented by local targets.

Each of the local LAA targets has a specific delivery agreement for that area. This is negotiated and agreed between the LSP and the regional Government Office.

Councils and their partners had the freedom to decide how best to achieve their agreed targets.

The BHSP is currently working through the Partnership Delivery Workshops and with all its partners to develop a set of key priorities across the city.

5.4 Abolition of South East England Development Agency (SEEDA)

The Government has announced that all Regional Development Agencies including SEEDA will close by April 2012. These will be replaced by Local Enterprise Partnerships (See page 7 above for more information on Local Enterprise Partnerships).

SEEDA's plan for transition aims to:

- Continue to support business recovery and growth in the South East, through our £120million programme of work for 2010/11 (including nearly £40m of EU funding), as well as through the advice, interventions and deal-making activities of our staff;
- Contribute to shaping the economic development model for the future, through advice sought by partners and through responding to consultations by central Government;

- Hand over economic development functions to new arrangements to maximise legacy and minimise the hiatus and loss of economic benefit arising from major change;
- Carry out an orderly transition to closure that provides value for money for the taxpayer and achieves the best possible outcomes for our staff.

5.5 Abolition of Government Office South East (GOSE)

As part of the Government's commitment to localism, decentralisation and the rolling back of regional government, Ministers announced in May 2010 the abolition of the Government Office for London and a review of the case for the abolition of the remaining Government Offices.

On 22 July 2010, the Secretary of State for Communities and Local Government, Eric Pickles, announced to Parliament that the Government has the intention in principle to abolish the remaining eight Government Offices. The process will be subject to using the Spending Review to resolve consequential issues. The final decisions will be made at the end of the Spending Review in the autumn.

Consequently, GOSE no longer have a responsibility for performance management of the LAA, and no longer attend the BHSP or the Public Service Board meetings.

OVERVIEW AND SCRUTINY COMMISSION

Agenda Item 42

Brighton & Hove City Council

Subject: Scrutiny Update
Date of Meeting: 19 October 2010
Report of: Acting Director of Strategy and Governance
Contact Officer: Name: Tom Hook Tel: 29-1110
E-mail: Tom.hook@brighton-hove.gov.uk
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report provides an update on scrutiny activity to the Overview and Scrutiny Commission (OSC). It has three components parts:
- An update on the scrutiny panel topics selected since the last OSC meeting (Appendix 1)
 - Comparative information on how scrutiny is functioning (Appendix 2)
 - A discussion paper on the co-option of a representative from the third sector onto OSC during the budget scrutiny process (Appendix 3)

2. RECOMMENDATIONS:

- 2.1 That the Overview and Scrutiny Commission:
- (1) Notes the scrutiny panel update (Appendix 1)
 - (2) Notes the benchmarking work from the CfPS Survey (Appendix 2)
 - (3) Agrees to temporarily co-opt a third sector representative onto OSC (Appendix 3)

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 At its last meeting OSC considered which, if any, scrutiny panels should be established following a public consultation undertaken during July. OSC agreed to establish panels into a 'Living Wage' and 'Information Sharing on Vulnerable People'.
- 3.2 Consultation responses were reported to other scrutiny committees with panels established on:
- Private Sector Agents
 - Renewable Energy
 - Music Industry

- 3.3 Appendix 1 lists all of the panels undertaken since May 2008 and progress made against them. There are currently six 'live' panels being supported by scrutiny officers.
- 3.4 Appendix 2 provides members with a short comparison of the scrutiny function in Brighton and Hove against results on the Centre for Public Scrutiny 2009 survey of local authorities.
- 3.5 Members will aware that various overview and scrutiny committees benefit from the expertise of co-opted, non-voting members representing a variety of organisations. Appendix 3 is intended as a discussion paper on the suggestion to co-opt a third sector representative to OSC for the budget discussions during December-January 2010/11.

4. CONSULTATION

- 4.1 The panel selection process involved extensive consultation with Members, residents and partner organisations.
- 4.2 Informal consultation has taken place with OSC Members and the CVSF with regard to co-option.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications as all work will take place within the existing scrutiny budget.

Legal Implications:

- 5.2 There are no direct legal implications arising from this report.

Lawyer Consulted: Oliver Dixon

Date: 7 October 2010

Equalities Implications:

- 5.3 Panels undertake an EIA during detailed scoping.

Sustainability Implications:

- 5.4 A number of sustainability issues were raised as possible scrutiny topics, with one on renewable energy being progressed.

Crime & Disorder Implications:

- 5.5 There are no direct crime and direct implications arising from this report.

Risk & Opportunity Management Implications:

- 5.6 The consultation exercise was undertaken to ensure that scrutiny resources are focused on the most appropriate areas. There is an opportunity for scrutiny to influence some of the key issues facing the city.

Corporate / Citywide Implications:

- 5.7 Scrutiny panels attempt to take a city-wide view on issues rather than focusing purely on council services. The recommendation to co-opt a third sector

representative will also OSC to seek a wider range of views on the budget for 2011/12.

SUPPORTING DOCUMENTATION

Appendices:

1. Panel Update
2. Comparative Benchmarking Information
3. Co-option Information

Documents in Members' Rooms

None

Background Documents

None

Scrutiny Panel Update – October 2010

No	Panel Title	Current Status
1	Dual Diagnosis (OSC)	Monitoring Implementation
2	Students in the Community (ASCHOSC)	Monitoring Implementation
3	Older people and community safety (ECSOSC)	Monitoring Implementation
4	GP Led Health Centre (HOSC)	Monitoring Implementation
5	Children and Alcohol Related Harm (CYPOSC)	Monitoring Implementation
6	Dignity at Work (OSC)	Monitoring Implementation
7	Environmental Technologies (CTEOSC)	To Council October 2010
8	Street Access Issues (OSC)	To Council October 2010
9	Winter Service Plan (ECSOSC)	To Council October 2010
10	Staff Disability (OSC)	To Council December 2010
11	Climate Change Adaptation (OSC)	To Council December 2010
12	20 mph (ECSOSC)	To Council December 2010
13	School Exclusions (CYPOSC)	CMM in October
14	Support Services for the Victims of Sexual Violence (ECSOSC)	Awaiting final executive response
15	Dementia Strategy (ASCHOSC)	Awaiting final executive response
16	Cultural Provision for Children (CTEOSC)	To report November CTEOSC
17	Autism Services for Adults (ASCHOSC)	Meeting through to December 2010
18	Alcohol Related Hospital Admissions (HOSC)	Suspended until March 2011
19	Impact of In-Year Budget Savings (OSC)	Established
20	Living Wage (OSC)	Established
21	Renewable Energy (ECSOSC)	Established
22	Private Sector Agents (ASCHOSC)	Established
23	Music Industry (CTEOSC)	To commence 2011
24	Information Sharing on Vulnerable People (OSC)	To commence 2011

Benchmarking the Overview and Scrutiny function in Brighton & Hove City Council

Comparative benchmarking of Overview & Scrutiny (O&S) within Brighton & Hove, with the results of the 2009 survey of O&S in local government carried out by the Centre for Public Scrutiny (CFPS). 75% of local authorities responded to the survey.

Committees and Structure

Brighton & Hove has multiple overview and scrutiny committees which is the same as 69% (from 59% in 2005) of the councils. Brighton & Hove City Council has 6 O&S committees compared to an average of 4 per authority.

Number of Scrutiny Reviews

Nine scrutiny reviews were undertaken in Brighton & Hove in 2009/10 which compares very favourably to the average of 5 in 2009. The survey found that only 14% of authorities had completed 10 or more scrutiny reviews and there is a clear cluster between 2-6 reviews being undertaken by most authorities.

Non-statutory co-opted members

According to the CFPS survey, the average number of non-statutory co-opted members is 2. In Brighton & Hove there are currently 7 non-statutory co-opted members (4 on CYPOSC, 2 on HOSC, and 1 on ASCHOSC). Like 74% of authorities, our non-statutory co-opted members are not given full voting rights.

Public Engagement

The CFPS survey found that the average number of suggestions for scrutiny reviews from the public was 4, with *'45% of authorities reported having received 0 suggestions for scrutiny'*. During the public consultation held earlier in the year 69 suggestions for scrutiny were received with approximately a third of these from members of the public.

External witnesses

According to the CFPS survey only 7% of authorities had over 60 external witnesses who had attended their meetings in 2009. They calculated that the median number of external witnesses was 15 per authority.

Over the last two years scrutiny panels in Brighton & Hove have had over 150 external witnesses attend panel meetings; this does not include written submissions provided. This represents a significant 'free' consultancy service available to the council.

Support type

In Brighton & Hove, like 55% of authorities (and 61% of unitary authorities) scrutiny is facilitated through a specialist model where support is provided by a scrutiny support unit with dedicated officers, who only work to the overview and scrutiny function.

The CFPS survey found that in 2009 there had been a rise in the *'prevalence of the specialist model for scrutiny'*.

Scrutiny Teams and FTE officers

According to the CFPS survey, the average number of FTE scrutiny officers is 4 (per authorities who have a dedicated officer – excluding districts and counties). The survey also found that unitary authorities with 'no overall control' had on average 5 FTE scrutiny officers. Here in Brighton & Hove there are 5.5 FTE scrutiny officers.

Roles for OSCs and members

The scrutiny team in Brighton & Hove City Council have in the past year carried out the 8 of the 9 key roles identified by the CFPS survey:

- Performance monitoring
- Holding the executive to account
- Policy review
- Scrutiny of partnerships
- Policy development
- Pre-decision scrutiny
- External scrutiny (not health)
- Health scrutiny

Call-ins

In 2009/10 there were 4 call-in requests in Brighton & Hove, compared to the average number of 2.5.

Evaluating scrutiny

In Brighton & Hove it is standard practice that members receive a six monthly update on the progress in recommendations. This is usually provided by those responsible for the implementation (as is the case with 67% of authorities surveyed).

Like 80% of authorities we produce an annual report on overview and scrutiny. The annual report for 2009/10 was warmly welcomed by Council and can be found at: <http://present.brighton-hove.gov.uk/mgConvert2PDF.aspx?ID=22065>

OSC Cooption of Third Sector Representative

OSC is being asked to consider the time-limited cooption of a non-voting representative from the third sector. The co-option would be for the two meetings OSC has that focus on the draft budget proposals – the December 2010 and January 2011 meetings.

Scrutiny committees and panels already benefit from the co-opted of members from external organisations, for example members of the Older People's Council and Local Involvement Network (LINK) sit on HOSC. ASCHOSC has a LINK representative and CYPOSC has members of the Youth Council, third sector members and representatives of the two diocese.

Additionally Professor Gordon MacKerron from the University of Sussex chaired the recent scrutiny panel on Climate Change Adaptation and a number of other panels have benefited from co-option from various organisations.

Co-opted members provide scrutiny with additional viewpoints from which issues can be scrutinised; a mouth-piece if you will, through which the views of a sector can be channelled.

This cooption would be for the purpose of ensuring strong third sector input into the scrutiny of the draft budget proposals. The council's budget has major implications for the third sector in the city; allowing its direct input into the scrutiny process will provide a more robust critical friend challenge and allow for greater understanding of the implications of the budget.

Cooption would also tie in with moves towards the intelligent commissioning model which will require a more holistic and dynamic relationship with the third sector.

Cooption of this nature will also progress the agreed aim that scrutiny should seek to foster relationships with key partners in the city and increase its external focus.

Overview and Scrutiny Commission Work Plan 2010 - 2011

Issue	Overview & Scrutiny Activity	Outcome & Monitoring/Dates
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16 March 2010		
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Targeted Budget Management Month Nine	Ongoing budget monitoring	Replies to questions from Acting Assistant Director, Financial Services.
Council's Forward Plan	Report as requested at OSC 20 October 2009	Recommendations made to progress development of the Forward Plan.
Process to prioritise Scrutiny reviews	For agreement	Process agreed for scrutiny panel annual work programme.
Budget Scrutiny Feedback	To consider budget scrutiny process	Improved process welcomed and request for early information to be available for the 2011/12 budget.

27 April 2010		
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Street Access Scrutiny Panel Report	OSC to endorse the report	Agreed. Referred to Executive.
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Dignity at Work scrutiny panel report	OSC to endorse the report	Agreed. Passed to Governance Committee and referred to Executive.
Mandatory Development for Planning Committee	For approval to refer to Governance Committee	General support for the idea. Comments to be forwarded to Governance Committee.
Volunteering Strategy	For O&S Comment	Endorsed the strategy and made comments. Strategy scheduled to go to Cabinet.
Referral from HOSC	To determine whether or not to establish a Select Committee on alcohol-related hospital admissions	Agreed to establish a Select Committee to report back to OSC.
ASCHOSC Update	O&S Committee Chairs to update OSC on their work-programme and key issues	Noted work of the ASCHOSC.

8 June 2010

Creating a Council the City Deserves	OSC to comment	Chairman to write to the Chief Executive on behalf of OSC
Equalities 6-monthly update	Regular update	Questions on staff profile for older and younger workers, stolen Blue Badges and disabled access to park cafes and polling stations
Staff Disabilities Scrutiny Panel report	OSC to consider the report to endorse	Report referred to Cabinet for response

ECSOSC Update	Chair to provide update on work of the Committee	Suggestions for agreeing subjects for scrutiny
General Scrutiny Update	For noting and comment	Officer report on election processes requested for September meeting
20 July 2010		
Targeted Budget Management Outturn 2009/10	Ongoing budget monitoring	Report noted
TBM update and VFM progress report to 22 July Cabinet	OSC comments to be forwarded to Cabinet	Further information requested
In-Year Grant Reductions Report to 22 July Cabinet	OSC comments to be forwarded to Cabinet	Scrutiny Review established to investigate impact of grant reductions on communities including equalities impacts Current Equalities Impact Assessment of Connexions to be referred to CYPOSC
Climate Change Scrutiny Panel Report	OSC to consider the report for approval	Report endorsed and passed to Cabinet. Six-month progress report requested
Community Engagement Framework Update	OSC has a role in monitoring the Community Engagement Framework. First update	Information on good examples and reasons for poor practice asked for in

		next update
Annual complaints report	Provides background information which can be used to focus future scrutiny work	In the context of Intelligent Commissioning, learning on Repairs and Maintenance complaints to be forwarded to ASCHOSC
CTEOSC Update	CTEOSC Chairman to provide update on the work of the Committee	Noted the report
Dual Diagnosis Monitoring	Monitoring implementation to scrutiny panel recommendations	Progress in many areas welcomed and further 6 month update requested

7 September 2010

Election Processes	Presentation – Members to decide whether further work required.	Update on voter registration to be provided to Members
Dementia Select Committee	Select Committee report to be considered for approval.	Report approved
Annual Scrutiny Panel Work Programme	Consultation responses regarding panel topics. To agree priority list of panels for 2011/12.	Scrutiny panels agreed on A Living Wage, followed by Sharing of information on Vulnerable People
HOSC Update	HOSC Chairman to provide update on the work of the Committee	Information noted

19 October 2010		
Discussion with the LSP Chairman	Part of Scrutiny/LSP protocol; update on LSP	
Review of discretionary rate relief for small businesses	Pre-decision input on three year review	
Targeted Budget Management month 4	Ongoing budget monitoring	
CYPOSC Update	Chairman to provide update on the work of the Committee	

30 November 2010 - Meeting Cancelled

14 December 2010 Moved from 30 November 2010 to enable scrutiny of budget proposals		
Targeted Budget Management Second Quarter	Ongoing budget monitoring	
Draft budget strategy following Cabinet		

1 February 2011 (Moved from 11 January 2011)

Equalities Review – 6-monthly update		
Report from the Societal Impact Budget Scrutiny		

1 March 2011 – Meeting Cancelled

5 April 2011

Targeted Budget Management Third Quarter	Ongoing budget monitoring	
Monitoring Staff Disabilities scrutiny review		
Monitoring of Climate Change scrutiny actions		