

BRIGHTON & HOVE CITY COUNCIL MEETING

4.30PM 20 OCTOBER 2011

COUNCIL CHAMBER, HOVE TOWN HALL



AGENDA



**Brighton & Hove
City Council**

Council Meeting

Title:	Council
Date:	20 October 2011
Time:	4.30pm
Venue	Council Chamber, Hove Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Reverend John Wall
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	The Town Hall has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However use of the lift is restricted for health and safety reasons please refer to the Access Notice in the agenda.
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	<p align="center">FIRE / EMERGENCY EVACUATION PROCEDURE</p> <p>If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:</p> <ul style="list-style-type: none"> • You should proceed calmly; do not run and do not use the lifts; • Do not stop to collect personal belongings; • Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and • Do not re-enter the building until told that it is safe to do so.

AGENDA

17. DECLARATIONS OF INTEREST

Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as personal and/or prejudicial under the terms of the Code of Conduct.

18. MINUTES

1 - 50

To approve as a correct record the minutes of (a) the Special Council Meeting held on the 21st July 2011 and (b) the last Council meeting held on the 21st July 2011 (copies attached).

19. MAYOR'S COMMUNICATIONS.

20. TO RECEIVE PETITIONS AND E-PETITIONS.

Petitions will be presented to the Mayor at the meeting.

21. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of the 13th October 2011 will be circulated separately as part of an addendum at the meeting.

22. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of the 13th October 2011 will be circulated separately as part of an addendum at the meeting.

23. PETITIONS FOR COUNCIL DEBATE

51 - 56

Petitions to be debated at Council. Reports of the Monitoring Officer (copies attached).

- (a) **The Future of Saltdean Lido.** Lead Petitioner Rebecca Crook.
- (b) **Blakers Park Road Safety.** Lead Petitioner Noelle O'Riordan Booth
- (c) **Stop the Ban on Pavement Parking in Elm Grove.** Lead Petitioner Tanya Richardson.

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 29-1006

6.30 - 7.00PM REFRESHMENT BREAK

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

COUNCIL

- 24. WRITTEN QUESTIONS FROM COUNCILLORS. 57 - 60**
- A list of the written questions submitted by Members is included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.
- 25. ORAL QUESTIONS FROM COUNCILLORS 61 - 62**
- A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.
- 26. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.**
- (a) Call over (items 27-33) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.
- (c) Oral questions from Councillors on the Cabinet, Cabinet Member and Committee reports, which have not been reserved for discussion.
- 27. REVIEW OF MEMBERS ALLOWANCES 63 - 100**
- Extract from the proceedings of the Governance Committee meeting held on the 20th October 2011, together with a report of Strategic Director, Resources (copies attached).
- Contact Officer: Angela Woodall Tel: 29-1354*
Ward Affected: All Wards
- 28. RENEWABLE ENERGY POTENTIAL - SCRUTINY REVIEW PANEL REPORT 101 - 122**
- Report of the Strategic Director; Resources (copy attached).
- Contact Officer: Tom Hook Tel: 29-1110*
Ward Affected: All Wards
- 29. BRIGHTON & HOVE CITY COUNCIL CORPORATE PLAN 2011-15 123 - 198**
- Extract from the proceedings of the Cabinet meeting held on the 22nd September 2011, together with a Report of the Strategic Director; Resources (copies attached).
- Contact Officer: Matthew Wragg Tel: 29-6805*
Ward Affected: All Wards

COUNCIL

- 30. REVIEW OF POLICY FRAMEWORK** **199 - 206**
- Extract from the proceedings of the Governance Committee meeting held on the 20th October 2011, together with a report of Strategic Director, Resources (copies attached).
- Contact Officer: Oliver Dixon* *Tel: 29-1512*
Ward Affected: All Wards
- 31. USE OF MOBILE PHONES, AUDIO RECORDING AND FILMING AT COUNCIL MEETINGS** **207 - 216**
- Extract from the proceedings of the Governance Committee meeting held on the 20th October 2011, together with a report of Strategic Director, Resources (copies attached).
- Contact Officer: Abraham Ghebre-Ghiorghis* *Tel: 29-1500*
Ward Affected: All Wards
- 32. AMENDMENTS TO CONTRACT STANDING ORDERS** **217 - 236**
- Extract from the proceedings of the Governance Committee meeting held on the 20th October 2011, together with a report of Strategic Director, Resources (copies attached).
- Contact Officer: Abraham Ghebre-Ghiorghis* *Tel: 29-1500*
Ward Affected: All Wards
- REPORTS FOR INFORMATION ONLY**
- 33. CITY PERFORMANCE PLAN & BHCC ORGANISATIONAL HEALTH REPORT** **237 - 270**
- Extract from the proceedings of the Cabinet meeting held on the 14th July 2011, together with a joint report of the Strategic Directors of Resources and Place (copies attached).
- Contact Officer: Paula Black* *Tel: 29-1740*
Ward Affected: All Wards
- 34. NOTICES OF MOTION.** **271 - 280**
- The following Notices of Motion have been submitted by Members for consideration (copies attached):
- (a) Reducing the Negative Impact of Roadworks in Brighton and Hove** - Proposed by Councillor Wealls.
 - (b) School Places** – Proposed by Councillor Pissaridou.
 - (c) Oppose The National Planning Policy Framework** – Proposed by Councillor Morgan.
 - (d) New Measures Needed to Address Housing Crisis** – Proposed by Councillor Wakefield.
 - (e) Public Service Pensions** – Proposed by Councillor MacCafferty.

COUNCIL

35. CLOSE OF MEETING

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

Note:

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

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

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

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

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

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

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

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

COUNCIL

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

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

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

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

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

ACCESS NOTICE

The lift cannot be used in an emergency and Evac Chairs are not suitable due to limitations of the escape routes. **For your own safety please do not to go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception if this affects you so that you can be directed to the Council Chamber to watch the meeting or should you need to take part in the proceedings e.g. because you have submitted a public question.

We apologise for any inconvenience caused

Date of Publication - Wednesday, 12 October 2011



Chief Executive
King's House
Grand Avenue
Hove
BN3 2LS

BRIGHTON & HOVE CITY COUNCIL**SPECIAL COUNCIL****3.00pm 21 JULY 2011****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

Present: Councillors Meadows (Chair), Wells (Deputy Chair), Barnett, Bowden, Brown, Carden, Cobb, Davey, Deane, Duncan, Farrow, Fitch, Follett, Gilbey, Hawtree, Janio, Jarrett, Jones, Kennedy, A Kitcat, J Kitcat, Lepper, Littman, MacCafferty, Marsh, Mears, Mitchell, Morgan, A Norman, K Norman, Oxley, Peltzer Dunn, Phillips, Pidgeon, Pissaridou, Powell, Randall, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Turton, Wakefield, Wealls and West

PART ONE**1. DECLARATIONS OF INTEREST**

1.1 There were no declarations of interest in the matter appearing on the agenda.

2. MAYOR'S COMMUNICATIONS.

2.1 The Mayor welcomed everyone to the meeting and noted that it had been specially convened to consider the appointment of Honorary Aldermen and Alderwomen.

3. APPOINTMENT OF HONORARY ALDERMEN AND ALDERWOMEN

3.1 The Mayor stated that the Council was asked to consider the appointment of previous councillors as Honorary Aldermen and Alderwomen of the City of Brighton and Hove and that any such appointment was made in recognition of the service given by those past councillors to the Council, Wards they represented and the City. She therefore proposed that the following should be appointed:

Mr. Kevin Allen, Mrs. Pat Drake, Ms. Par Hawkes, Mr. Ted Kemble, Ms. Juliet McCaffery, Ms. Christine Simpson, and Mr. David Watkins.

3.2 The Mayor then called on the Leaders of the various Groups to support the motion.

- 3.3 Councillor Randall stated that it had been a great pleasure to serve with the former distinguished colleagues during his time on the council and he was pleased to see them here today to be recognised for the service they had given to the council and the city. He wished them well for the future and hoped to see them at various civic events.
- 3.4 Councillor Theobald supported the Leader of the Council's comments and noted that a number of them had been saddened to find they had left the council after the May elections. He noted that his previous colleague, Pat Drake had been unable to attend the meeting but had an enormous number of years service to the city. The proposal to appointment each of them was very well deserved and he fully supported the motion and hoped that they would keep in touch.
- 3.5 Councillor Mitchell stated that it gave her very great pleasure to support the motion and see colleagues from all parties recognised for their services to the residents of the city and Members of the council. She noted that just the combined service of both Pat's came to 62 years of public life and wished them all well in their future endeavours.
- 3.6 The Mayor noted the comments and stated that in accordance with legislation a motion to appointment Honorary Aldermen and Honorary Alderwomen had been moved and put it to the vote, bearing in mind that two-thirds of those voting needed to be in favour of the motion.
- 3.7 **RESOLVED:** That the following, having duly been proposed and unanimously approved, be appointed as:
- (i) Mr. Kevin Allen, Honorary Alderman,
 - (ii) Mrs. Pat Drake as an Honorary Alderman,
 - (iii) Ms. Pat Hawkes as an Honorary Alderwoman,
 - (iv) Mr. Ted Kemble as an Honorary Alderman,
 - (v) Ms. Juliet McCaffery as an Honorary Alderwoman,
 - (vi) Ms. Christine Simpson as an Honorary Alderwoman, and
 - (vii) Mr. David Watkins as an Honorary Alderman.
- 3.8 The Mayor then invited each of the newly appointed Aldermen and Alderwomen to come forward to collect a certificate in recognition of their appointment and to address the council.
- 3.9 Alderman Allen thanked the Mayor and the Members of the Council and stated that he was very honoured to have been recognised in such a way. Having represented the old Marine Ward and then Preston Park Ward, he had enjoyed his period of office, particularly in regard to Housing and establishing the Health & Overview & Scrutiny function.
- 3.10 Alderwoman Hawkes thanked the Mayor and the Members of the Council and stated that she had been very fortunate to be able to serve on both Brighton and Brighton & Hove councils. She had been able to take her personal development forward and to work in areas of interest with colleagues and officers that meant she felt she had made a difference to the lives of people.

- 3.11 Alderman Kemble thanked the Mayor and the Members of the Council for the honour and stated that he had enjoyed his time as a councillor and missed the opportunity to serve on the East Sussex Fire Authority. He thanked Councillor Randall for his kind words and wished him well as the Leader of a new Administration.
- 3.12 Alderwoman McCaffery thanked the Mayor and the Members of the Council and stated that she found it difficult to stand before the council in such a way. She was delighted to accept the appointment and noted that becoming a councillor had not been in her life-plan but had come along and proved to have been a rewarding part of her life, enabling her to get involved in education and to promote equalities and inclusion.
- 3.13 Alderwoman Simson thanked the Mayor and the Members of the Council and stated that it was a privilege to accept the appointment as an Alderwoman. She felt that she had learned a great deal and in some ways knew a little about a lot; having been able to work with colleagues across all parties and with so many excellent officers. She wished the new council well and noted that difficult times were ahead and thanked them again for her recognition.
- 3.14 Alderman Watkins thanked the Mayor and the Members of the Council for the honour and stated that he had been very proud to serve as a Liberal Democrat Councillor on the City Council. He hoped that he had made a worthwhile contribution during his time of office and felt that the role and work of scrutiny had been taken forward. He also wished to thank his wife for her support and understanding over the years and thanked the Council for this recognition.
- 3.15 The Mayor noted the comments and offered her congratulations to the Aldermen and Alderwomen on their appointments. She also noted that Alderman Drake had been unable to attend the meeting and that her certificate and the council's congratulations would be passed onto her.

4. CLOSE OF MEETING

- 4.1 The Mayor thanked everyone for attending and declared the meeting closed.

The meeting concluded at 3.30pm

Signed

Chair

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 21 JULY 2011****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

Present: Councillors Meadows (Chair), Wells (Deputy Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cobb, Davey, Deane, Duncan, Farrow, Fitch, Follett, Gilbey, Hamilton, Hawtree, Janio, Jarrett, Jones, Kennedy, A Kitcat, J Kitcat, Lepper, Littman, MacCafferty, Marsh, Mears, Mitchell, A Norman, K Norman, Oxley, Peltzer Dunn, Phillips, Pidgeon, Pissaridou, Powell, Randall, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Turton, Wakefield, Wealls and West.

PART ONE**1. DECLARATIONS OF INTEREST**

- 1.1 Councillors Kennedy and Wakefield declared a personal and prejudicial interest in Item 7(a) on the agenda, Save The Big Lemon Bus, as they were both shareholders of the company; and stated that they would withdraw from the meeting prior to the consideration of the item.
- 1.2 No other declarations of interests in matters appearing on the agenda were made.

2. MINUTES

- 2.1 The minutes of (a) the last Ordinary Council meeting held on the 24th March, together with (b) the Annual Council Meeting held on the 19th May, and (c and d); the two Special Council Meetings held on the 19th and 26th May 2011 were approved and signed by the Mayor as a correct record of the proceedings.

3. MAYOR'S COMMUNICATIONS.

- 3.1 The Mayor asked the Council to stand for a minute's silence as a mark of respect for ex-councillor Norman Wright who had served on Brighton Borough Council from 1992 to 1996 and had passed away recently.
- 3.2 Following the minute's silence, the Mayor stated that she wished to inform the Council that one of her charities, PDSA had indicated that it wanted to concentrate on its

national campaign and therefore could not be involved at a local level. As such, she had decided to adopt RISE as her third mayoral charity for the remainder of her mayoral year.

- 3.3 The Mayor stated that she was very pleased to invite Councillor Mitchell as Chair of the Overview & Scrutiny Commission to come forward and receive the Centre for Public Scrutiny's national award for Innovation following the Scrutiny Review on Climate Change.
- 3.4 The Mayor then drew Members' attention the addendum papers that had been circulated prior to the meeting and noted that copies of the Notices of Motion listed as Items 15(d) and 15(f) on the agenda had been re-circulated. Item 15(d) was to be seconded by Councillor Gilbey and item 15(f) had slightly amended wording at paragraph 1(a). She also noted that Item 13, Annual Report of the Audit Committee was being reported to the council for information rather than approval.
- 3.5 The Mayor then drew Members' attention to the aide memoir included in the agenda papers and noted that an extension granted to Members' speaking times was limited to 3 minutes and not 5 as shown.
- 3.6 Finally, the Mayor stated that she was aware of a number of items regarding Gypsies and Travellers and therefore intended to take Items 7(b) petition for debate and 15(f) notice of motion, together with one debate, which would have no time limit and at the end of which she would take votes on each item separately.

4. TO RECEIVE PETITIONS AND E-PETITIONS.

- 4.1 The Mayor invited the submission of petitions, including combined paper and e-petitions from councillors and members of the public. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 4.2 The Mayor noted that Ms. Paynter was not present due to illness and stated that in view of the time-scales, the combined paper and e-petition should be presented directly to the Environment, Transport & Sustainability Cabinet Member Meeting.
- 4.3 Mr. S. Derwent presented a petition signed by 435 residents requesting the provision of a regular gardener for Withdean Park.
- 4.4 Councillor Mitchell presented a petition signed by 311 residents concerning the No.21 Bus Service and associated facilities.
- 4.5 Councillor Turton presented a petition signed by 25 residents of Chesham Street requesting that in the interests of road safety one end be blocked off from traffic.
- 4.6 The Mayor noted that 3 petitions had been submitted.

5. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 5.1 The Mayor reported that eight written questions had been received from members of the public and invited Mr. Furness to come forward and address the council.
- 5.2 Mr. Furness asked the following question, "As the price of scrap metals such as aluminium and steel continues to rocket, could Councillor West please tell us how much money the council generates from the sale of these plus all other recyclable materials collected from our homes?"
- 5.3 Councillor West, Cabinet Member for Environment & Sustainability replied, "In 2010/11 the council collected over 19,000 tonnes of material for recycling. In total this generated £488,000 worth of income for the council. This income is off set against the total cost of collecting waste and recycling and waste treatment and disposal, which is approximately £26 million per year. The more we reduce waste and the more we recycle, the lower our total waste bill is. This is why this administration is reviewing the existing waste strategy to identify how we can achieve much improved performance in this area."
- 5.4 Mr. Furness asked the following supplementary question, "Councillor West could you further enlighten us please, I'm very grateful for your answer I'm glad to hear we are deriving some income from these valuable resources but you are quoted recently in the Evening Argus as saying that you intend to investigate cutting down refuse services to once a fortnight in order to improve recycling rates. I may be able to see some logic in that but I can't see any logic in when you claim that this will save the authority £56 per ton in landfill tax when any week now the Newhaven incinerator will be vaporising the lot."
- 5.5 Councillor West replied, "We are looking at a number of different options for food waste recycling as well as improving other waste recycling. Some of the other options include changing the rounds and the frequency of which items may be collected. So if we are collecting food wastes separate from residual waste we would perhaps do that at a weekly rate but we wouldn't necessarily need to do the residual waste quite as frequently as we are at the moment. All in all we may be looking at an improved service but this is something that is being looked at in great detail at the moment. Can I just point out that the position we have inherited with recycling is that it is at an embarrassing low level. We are now only collecting something in the order of 27% of what could be recycled and food waste contributes over 30% of the waste stream. We are very keen because we wish to be the greenest city in the UK to push up recycling rates and reduce down the amount of waste. These are the ambitions that we have set out in our manifesto. We will be bringing forward our ideas later in the year."
- 5.6 The Mayor thanked Mr. Furness for his questions and invited Mr. Morris to come forward and address the council.
- 5.7 Mr. Morris asked the following question, "The proposed location of the skatepark in the northern section restricts parents' and carers' ability to supervise the combination of young children and older children. The disparate locations of the skatepark, café and play area make it impossible for a parent with children of varying ages to keep an eye on children using the public lavatories, the skatepark or play areas. Local residents raised these problems throughout the consultation period, but were constantly ignored.

Would the council accept that there are still many massive flaws in the proposed overall design to be submitted to the Heritage Lottery Fund?"

- 5.8 Councillor West, Cabinet Member for Environment & Sustainability replied, "The consultation gave residents the opportunity to not only choose an option but to make comments on the two options. In total 33 people commented that it is easier to supervise children if all activities are in one area and the skatepark remains in its current location next to the playground. However, 95 people responded saying they want skaters and bikes separated from small children's areas. Thus, the majority of people who commented on this very issue feel overall it would be better to move the skatepark.

So, no I do not believe there are massive flaws in the proposed overall design. I believe that both options presented for consultation were viable, but the response to the consultation is clear. With any design there will always people who prefer one option over another. The bid is a once in a life time opportunity to improve the Level and provide activities and facilities for a much larger part of the community."

- 5.9 Mr. Morris asked the following supplementary question, "Friends of the Level and the Triangle Community Group maintain that fencing will ensure the safety of the children and all user groups at all times. Dogs and young children will easily be able to run into the skatepark. If the skatepark is used after dark, local residents will be disturbed by ambient noise and light. I would like to point out that the skatepark at Hove Lagoon is fenced and closed at night. The question, I remind you, was about how parents and carers would be able to supervise a combination of young children and older children. Is it intended that on the level there will be unrestricted access to all areas 24 hours a day despite the obvious risks of such an approach?"

- 5.10 Councillor West replied, "Mr Morris I did answer questions from you when I considered the level master plan at my cabinet member meeting. In your original question today you didn't specify what flaws you were thinking of so I wasn't able to respond directly. You have now mentioned fencing and I know that this is a topic that we discussed before and as I told you at the cabinet member meeting or other questioners a risk assessment was done and it was established that there is no need for fencing in order for the facility to be safe. That was the professional response that we received. However, we are looking at putting planting around the skatepark as a way of creating some delineation and as I said at the cabinet meeting, we are happy and we are offering to continue to work with the local groups on those sorts of details. With regard to twenty four access one of the issues that has arisen out of this consultation is quite apparent, is the lack of safety on the park and that passive surveillance of having more people on the park throughout the day and in the evening will considerably help raise safety levels and therefore people's happiness to go on the level."

- 5.11 The Mayor thanked Mr. Morris for his questions and invited Ms. Shelling to come forward and address the council.

- 5.12 Ms. Shelling asked the following question, "In the Environmental Cabinet Meeting' on July 5th, the council were asked what measures would be taken to prevent dog's from entering the 'dogs free skating area' despite it being located in a 'dogs-off lead zone'. The council replied along the lines that planting schemes were under consideration (this thinking was reflected in the master Plan D presented for cabinet).

Given that 'planting as a preventative barrier' to dogs entering the skate area is under consideration, would the council please clarify how 'plants' would/could meet safety standards for the skate park required by Health & Safety?"

- 5.13 Councillor West, Cabinet Member for Environment & Sustainability replied, "As I mentioned at the Environment and Sustainability Cabinet member Meeting on the 5th of July, the skatepark location has been subject to an independent risk assessment. This risk assessment concludes that the skatepark can be designed without the need for fencing and that a suitable boundary could be provided using planting. I also made a commitment that officers would work with residents and the skateboarding community to work up this detail now that the skatepark location has been determined.

Our Health and Safety Manager has confirmed that there are a range of possible control measures that will be evaluated and considered during the detailed design phase."

- 5.14 Ms. Shelling asked the following supplementary question, "To date the council still can't tell us what the new skatepark will look like, what size it is to be, whether the required funding can ever be raised, where the entrance points will be located, whether it will be surrounded by plants or a fence or even if it actually can be rebuilt in the north at all until nursery ground surveys are conducted. Respondents to the questionnaire were not informed of these essential facts. What real democratic mandate has the green party therefore got for supporting the relocation of the skatepark to the open green?"
- 5.15 Councillor West replied, "As I say many of these details are for the detail design phase after the second round of the lottery funding is received. We will continue with people to work on those points but the basic design is there, the size, as you know, is very much dependant on the ultimate amount of funding that can be achieved for the skatepark itself because the skatepark is being funded separately from the rest of the works on the level."
- 5.16 The Mayor thanked Ms. Shelling for her questions and invited Ms. Davis to come forward and address the council.
- 5.17 Ms. Davis asked the following question, "Residents in Hanover/Elmgrove and northern section of St Peters/North Laines, the two wards closest to the Level expressed concern that their votes would be diluted when voting was expanded from 13,500 to 28,000 homes. PPT accepted the recommendation should not depend on a simple headcount but on consideration of all relevant factors and their views would count. Can the PPT demonstrate a mature consideration of all facts as its report appears to focus on top level results and overlooks the granularity of voting data in the two affected wards which shows a divide in type of voter (parent/pro-green) and no obvious Option 2 majority?"
- 5.18 Councillor West, Cabinet Member for Environment & Sustainability replied, "My Cabinet Member Report on the 5th of July clearly acknowledged that residents living closest to The Level had a preference for Option 1, leaving the skatepark where it is. I am fully aware of the strength of feeling regarding the location of the skatepark which is why I personally worked with residents and officers to help ensure more detailed engagement and consultation took place.

I believe the consultation was robust and clear and that residents have been given a clear opportunity to express their views. The consultation report considers the overall numbers as well as people's preference in relation to:

- different household types (e.g. couples, sole occupants, families)
- why people visit The Level
- what elements of design people like the most
- what activities people prefer.

This data shows that people overwhelmingly prefer Option 2.

The Level is in an area where people have limited access to open space and many people do not have private gardens. It is therefore important that everyone within the catchment has an equal say."

- 5.19 Ms. Davis asked the following supplementary question, "Given the strong opposition to option 2 and the Green Party's town planning policy to protect and preserve formal and informal green spaces, coupled with the necessity for community support for the HLF bid, would the Green councillors please reconsider an analysis of the data collected from the affected wards against the top level data?"
- 5.20 Councillor West replied, "In your original question you asked why the consultation was increased to include 28,000 homes. There are 28,000 homes within 15 minutes walk of the level and therefore all of those people's needs are relevant to our understanding of what to do with the level. There has been an incredibly detailed analysis of all the responses to all the very many questions along with all the other aspects of the design and consultation not just the consultation document itself. I am very satisfied that this matter has been extremely well explored and that the outcome is very clear of what people want and we are supporting that position."
- 5.21 The Mayor thanked Ms. Davis for her questions and invited Ms. Monson to come forward and address the council.
- 5.22 Ms. Monson asked the following question, "The Decision to build a concrete skatepark on a green lung in the centre of the City is at odds with green philosophy. Also, it is a contradiction of Green Party policy. I quote "the need for urban green spaces, both formal and informal, should be recognised and these spaces should be protected." The Level, in use for nearly 200 years, is an urban space that satisfies both these formal and informal criteria.
- How can the people of this City, with the UK's first Green Party MP and council, have confidence that this Party will protect green open spaces?"
- 5.23 Councillor West, Cabinet Member for Environment & Sustainability replied, "The Level is a run down park in a part of the city where many people do not have private gardens. Over half the people consulted state they feel unsafe or very unsafe on The Level and many groups including the elderly and people with disabilities state they don't go to The Level because they do not feel welcome or there is nothing for them there.

Parts of the community are currently excluded from The Level for these reasons – to them it is not a welcoming or accessible park. This is not the kind of park this Green Administration wants in the city. In any case, the overall area of greenery will not decrease. The underused gravel area will become grass, and the current area of the skate park will become a garden. It is very important not to overlook this.

Open spaces affect people's quality of life and currently The Level far from fulfils it potential. It needs significant investment, and we have a one off, real opportunity to transform the park. This bid will protect the park and will actually increase the amount of green open space within The Level."

- 5.24 Ms. Monson asked the following supplementary question, "Will the councillor admit that it was prepared to break the Green Party stated policy under local planning and the built environment rules a mere two months after taking office by developing part of a valuable, much cherished, open green space within the heart of both a historic and congested urban area?"
- 5.25 Councillor West replied, "I think Ms Monson must be referring to national policies; we obviously also have local policies. This is a very local issue for local people living in the centre of our city and so we have to take a wide view which respects other aspects of our manifesto and our approach to how we value people's opinions and their needs in many different ways. Just suggesting that all we are here for is to defend green space is a complete misinterpretation of the depth of what we stand for."
- 5.26 The Mayor thanked Ms. Monson for her questions and invited Mr. Hardy to come forward and address the council.
- 5.27 Mr. Hardy asked the following question, "Can you tell me how much it cost council tax payers since May to clean up the mess left by gypsies and travellers, following the unauthorised encampments in Withdean Park, including the cost of re-installing the fences they drove over and the paving slabs they dug up and smashed, which for has not been replaced?"
- 5.28 Councillor West, Cabinet Member for Environment & Sustainability replied, "There have been four separate unauthorised encampments in Withdean Park since May. The costs associated with these unauthorised encampments were £1,703.07. These costs cover waste management; the provision of bins, rubbish, and other waste removal; the re-installing the fence; repairing an access gate; and replacing paving slabs. The replacement paving slabs will be installed before the end of July."
- 5.29 Mr. Hardy asked the following supplementary question, "First of all, I understand the Greens are the environmentally friendly party. Travellers and Gypsies do not have toilets in their caravans they use the bushes in Withdean Park as toilets and don't use the bins provided to put their rubbish in. This is a health issue; you know it's going on wherever they set up camp. Is that environmentally friendly and acceptable by the Green councillors?"
- 5.30 Councillor West replied, "We are a party of many different things I think what we have to recognise here is that some people have different lifestyles and different needs and I do not accept that every traveller doesn't use a toilet and I don't accept that every traveller

doesn't use bins. What I do say is that we don't accept anti social and criminal behaviour where that occurs. I am very aware of the unhappiness of local residents when there are encampments on sensitive places including parks and we have moved very quickly to deal with those when they occur within the bounds of our powers and the powers of the police and it does require evidence and it has to be legal. Later, I will speak about other measures we are taking to try and relieve the pressures that we have found on parks in recent times. But you must reflect on the fact that this council has only been in office for 2 months and this is not a new phenomenon that we are dealing with. The previous administration had the same difficulties that we are having now."

- 5.31 The Mayor thanked Mr. Hardy for his questions and invited Mr. Jewell to come forward and address the council.
- 5.32 Mr. Jewell asked the following question, "Have The Scrutiny Panel on Renewable Energy Potential scrutinised the relevant energy and noise study supporting documents and biomass literature in the PortZED planning application and identified that all technical aspects of the renewables are totally without foundation such that the wind turbines will not work in the proposed experimental configuration and all study results are confused and incorrect resulting in the developers making a late substitution of a very large wood pellet fuelled combined heat and power plant with associated health risk issues from the emissions?"
- 5.33 Councillor West, Cabinet Member for Environment & Sustainability replied, "As a Cabinet Member I am not responsible for the work of scrutiny, however I did sit on this particular panel prior to May's election. The Scrutiny Panel on Renewable Energy Potential has completed its work and reported in April. The Executive response to the report's recommendations was submitted to Cabinet last week. All of these documents are available on the council website. The scrutiny panel did not look at details of the PortZED planning application as it was not within its remit to look in detail at each and every planning application regarding renewable energy generation.

As a general point, scrutiny does not look at specific planning applications as the Council has a separate planning process for this."

- 5.34 Mr. Jewell asked the following supplementary question, "What independent expertise has been utilised to evaluate the validity of the renewable claims of this proposed project with particular reference to the wind turbines. I would add this is not a typical project it's a very large prestigious suggestion of claims that will make Brighton and Hove the greenest city in the country and I would like to know where the expertise is for this vital task of checking the validity?"
- 5.35 Councillor West replied, "This is a very different application, the nature of a zero carbon development is going to push the boundaries; that at the potential impact of the scheme are being looked at by Planning Environmental Health and Sustainability Officers and that the planning application is due to come before the committee in August or September. This isn't really, in a planning sense, a question you would be better to refer your concerns to the planning process."
- 5.36 The Mayor thanked Mr. Jewell for his questions and invited Mr. Fallon-Khan to come forward and address the council.

5.37 Mr. Fallon-Khan asked the following question, "Bearing in mind the award winning Revenues and Benefits and NNDR teams at the Council under the last Conservative Administration undertook some excellent initiatives which were nonsensically rejected by the previous Labour Government [for example a review of the way residents were being penalised when they started to draw unemployment benefit] would the Cabinet Member for Central Services please inform us what additional services these teams are likely to endure under the present Green Administration?"

5.38 Councillor J. Kitcat, Cabinet Member for Finance & Central Services replied, "As the meaning of your question is unclear, I shall concentrate on the positive work that the Revenue & Benefits team are currently undertaking. The welfare benefit system is complex for customers. The government welfare reforms currently include Local Housing Allowance (LHA) reforms in the run up to the introduction of a Universal Credit. Migration to the latter will be complete at the end of 2018 and we will then be administering only a localised council tax benefit, but no housing benefit support.

In order to try and mitigate some of the short term impact we put in a bid with two other local authorities – Benefits, Housing Strategy team & Brighton Housing Trust, for £487,000. We wanted to develop a coordinated approach in adapting to Local Housing Allowance changes to minimise negative impacts to landlords, tenants and statutory/voluntary agencies, and to prevent housing crises and homelessness. The bid was put to the DWP who had £4million in transitional funding to mitigate the effects of LHA reforms. Bids received totalled £68 million and unfortunately we were unsuccessful.

Nevertheless, we have already put in place initiatives to help Brighton & Hove residents facing hardship during government reductions in LHA including the creation of a Debt Prevention Team in council tax. We will also shortly be opening the Customer Service Centre at Bartholomew House to provide our customers with a better service. We will also be working through the key aspects of the Green Manifesto around financial inclusion and the credit union to help those hardest hit by these reforms."

5.39 Mr. Fallon-Khan asked the following supplementary question, "Now that the Green's have hiked council tax they also have two proposals which are clearly set out in their manifesto which I think they are promising to implement next year. Education Business Tax - Tax1, which is lumping the entire education budget on the top 4% of companies which is fool hardy because all they'll do is asset strip so they don't hit that criteria. More pertinently the business levee which will punish existing businesses for work placed parking which will make it more challenging for them to employ young and local people. How does Councillor Kitcat propose to resource, enforce and collect these punitive taxes all of which the conservative party were vehemently opposed to in the last budget?"

5.40 Councillor J. Kitcat replied, "The Education Business Tax proposal was not in this manifesto but may have been in the general election manifesto, clearly as a council we are not so empowered to change the national taxation scheme so we will continue to advocate changes at a national level and I look forward to debating them with you but that's not something appropriate for my position as a humble cabinet member. With relation to work placed car parking charges that is something that we are looking at and

it is very early stages, just considering a wide variety of options to deal with the huge challenges relating to air pollution and congestion which the previous Conservative administration failed to tackle for four years.”

5.41 The Mayor thanked Mr. Fallon-Khan for his questions and noted that this concluded the public questions.

6. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

6.1 The Mayor reported that one deputation had been received from members of the public and invited Mr. Morris as the spokesperson for the deputation to come forward and address the council.

6.2 Mr. Morris thanked the Mayor and stated that, “The Level is in the Valley Gardens Conservation Area. The northern section is an in conic community resource that must be preserved from development, as a place for congregating, recreation, holding community events, festivals and fairs. This northern part is the only remaining open green space as laid out from 1791 as a formal ground and later gifted to the townspeople of Brighton in 1822.

In the southern section, there are a few remaining features from Bertie Maclaren’s 1927 design of the children’s playground. At that time the railings were removed as part of Maclaren’s “valley vistas” scheme and the northern section remains free to this day of any obstruction. Whereas the southern section is an area for designated activities, the north, separated by the hedging and planting of the Rose Walk, is a free space for a wide variety of users. It’s an open space that is unimpeded by buildings, which will be lost if this awkward chunk is taken out of it for the skate park. It’s a green space for many who see it as their back garden and where there’s opportunity for peace and relaxation in a busy and highly polluted area.

The engagement of relevant community groups is listed as one of the five Heritage Lottery Fund requirements when submitting a bid. The two groups named by the council in their bid are Friends of The Level and The Triangle Community Group and we both fully support the other aspects of the bid. Full consultation with these groups is essential to the success of the HLF bid, together with an ongoing contribution to ensure that The Level is a popular and well-maintained open space in the very heart of the City.

But we have been devalued and dismissed constantly. Getting hold of information from the council officers has been more difficult than juggling with jelly. In August last year we were incorrectly told that the final bid had to be submitted by end of February 2011, otherwise the money would be lost. Constantly we were fobbed off with “that matter will be dealt with at a later stage”. Questions such as the needs of dog walkers, lighting of the Skate Park, health and safety, fencing were never answered or addressed. And they are still being fudged. In a draft report, which we saw only fifteen days ago, the plan of the skate park shows no lighting, five pages on it’s briefly mentioned in the text and four pages later there’s a photograph of the type of lighting to be used. The Health and Safety report just released, after months of us asking endless questions, has more fudging, with misleading out-of-scale illustrations.

We are all merely custodians of our heritage to pass on to future generations. But you, as councillors, carry the even further burden of being the protectors of our heritage too. We don't want to see any more of the disastrous past planning decisions that have scarred our City. And this needs to be looked at as a planning issue – remember The Level is in a conservation area.

No amount of planting and trees will plaster over this gaping wound on an old friend. The skate park will not be able to hide, as if in shame, behind the proposed raised banks that are to be added to its perimeter. Yes raised banks in the middle of an open green space that is called The Level. We totally oppose any building on the northern end of The Level and believe that this will set a dangerous precedent. It could be said that it's a brave Green councillor who will authorise this concreting over of part of an open green space. But it would be more courageous for all parties to join together and reject this lamentable proposal before it's too late."

- 6.3 Councillor West thanked Mr. Morris for attending the meeting the putting forward the deputation. He replied, "The level is an important park in the heart of our city and located in an area where many people do not have private gardens yet out of all out major parks it is in the worse condition due to the lack of investment over many decades. It suffers form anti social behaviour, buildings are in poor condition, lighting and seating is poor and the playgrounds need improving as do plantings and key historical features. It cannot be maintained to an acceptable standard without external funding. Over 50% of people consulted feel unsafe or very unsafe and avoid the level and certain groups of people for example the elderly or the disabled and their carers feel excluded from the level, they feel they cannot access it and that it doesn't have anything for them. This is not acceptable. For many years residents have rightly been calling for something to be done to improve the park, initial consultations carried out in 2009 in which most respondents stated they would prefer the skatepark to be moved out of the southern area.

Councillors and local residents groups felt that the consultation could have been more extensive and called for further consultation engagement to ensure all options were properly considered. Councillors, including myself, worked with officers and residents to ensure this happened, this is why the submission date for the bid was delayed. Extensive consultation and engagement has now been carried out, 75 meetings have been held along with numerous meetings attended by officers with the Friends of the Level and Park Crescent and Triangle. Meetings have also been held with schools, residents and minority groups. Under represented groups were asked why they don't use the level and what they would like to see done to the park to make it more welcoming. An access audit was carried out with the Federation of Disabled People to ensure the park is accessible and to engage the wider community has been mentioned earlier. Numerous well advertised public exhibitions were held including 4 public design workshops, 28000 households who live within 15 minutes walk were sent a newsletter about the proposals this was followed with a consultation document in March to the same 28000 households, they were given the opportunity to come to exhibitions, respond by post, online and now 11% of people (3300 people) responded, I frankly do not know what more you would want us to ask people. The council was open and has presented both options of having the skatepark in the north of having it in the south in a fair and balanced way so that residents could decide between the two. The consultation ran the same time as the campaign, you were involved against moving the skatepark

and all the signatories of the petition that you were presenting have the chance to respond to the consultation. This was a very robust, transparent and thorough process and I have every respect for our officers who have worked tirelessly over two years to bring this about. The Brighton Society has recognised this and it is evident from their supportive letter in the Argus recently. The option preferred resulted in an increase in the amount of build space and the location of the existing skatepark will be transformed to garden and the current underused gravel area will be grassed over.

Officers have made it very clear, the Council does not have a preference as to where the skatepark goes the priority is to secure funding, and to secure that as soon as practical, otherwise we will miss the boat with the lottery and we have consulted widely and fairly. To have overruled this consultation after all this work, all this involvement and I suspect that potential funders would have great concern had done so, to have done that would have been so much the wrong thing to do and I think it is truly unfair and untrue to say that the Friends of the Level and the Triangle Community Group have been devalued and dismissed. There has been a high level of engagement with them and I'm sorry if you don't agree with the outcome but there we have it. The people of the city have spoken and they have had a great opportunity to speak and I hope people will just move on now and live with that and support this bid to its success so we can have a new park that everyone can be happy with."

- 6.4 The Mayor thanked Mr. Morris for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Cabinet Member for Environment & Sustainability for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

7. PETITIONS FOR COUNCIL DEBATE

7(a) Save The Big Lemon Bus

- 7.1 The Mayor stated that under the Council's petition scheme, if a petition contained 1,250 or more signatures, it could be debated by the Full Council and such a request had been made in respect of an e-petition concerning Save the Big Lemon Bus.
- 7.2 The Mayor invited Ms. J. Chase to present her petition.
- 7.3 Ms. Chase thanked the Mayor and stated that a total of 2,316 people had signed the combined paper and e-petition which read as follows:
- "We the undersigned, petition the council to level the playing field in the local bus industry to ensure smaller groups like The Big Lemon Bus Company are not at a disadvantage."
- 7.4 Ms. Chase stated that she hoped the council could support local businesses which offered a sustainable future and should not be threatened by larger competitors. She believed that action taken by the larger bus company on specific routes where the Big Lemon operated were unfair and should be challenged.

- 7.5 Councillor Davey noted the petition and stated that he had been impressed by the number of signatures that had been obtained. He believed that there should be an open dialogue with all the bus companies and noted that the Office of Fair Trading was looking in to the situation in Brighton and Hove. He hoped that their findings could be taken on board in due course and stated that he was happy to discuss ways in which the council could help smaller businesses to succeed.
- 7.6 Councillor Pissaridou referred to the report on the matter and stated that she supported the petition that she wished to move an amendment on behalf of the Labour & Co-Operative Group to the report's recommendation, to encourage help for smaller businesses.
- 7.7 The Mayor congratulated Councillor Pissaridou on her maiden speech.
- 7.8 Councillor Farrow formally seconded the amendment.
- 7.9 Councillor Janio stated that he supported the petition and the proposed amendment as any measures that could be used to prevent a monopoly of service provision should be welcomed. He noted that the council had very little influence over the bus company and suggested that new legislation was required to assist with the issue.
- 7.10 Councillor G. Theobald stated that he believed the Big Lemon Bus Company should be supported and welcomed the Cabinet Member's response. As the previous Cabinet Member for Environment had previously written to the Brighton & Hove Bus Company and Competition Commission expressing the need for competition. However, the council had very little influence over such matters other than in preparing tender documents, which he hoped would be made more suitable for smaller businesses to understand.
- 7.11 Councillor Davey welcomed the cross-party support on the issue and stated that he was keen to help wherever it was possible.
- 7.12 The Mayor noted that an amendment had been moved along with the recommendation to refer the petition to the Environment & Sustainability Cabinet Member Meeting and stated that she would put them to the vote.
- 7.13 The Mayor then put the Labour & Co-Operative Group's amendment to the vote, which was carried.
- 7.14 The Mayor then put the substantive recommendations as amended to the vote which were carried.
- 7.15 **RESOLVED:**
- (1) That the petition be referred to the Environment & Sustainability Cabinet Member Meeting for consideration; and
 - (2) That the council requests the Cabinet Member to consider how to offer help and advice to The Big Lemon Bus operators in the same way that it does for other smaller businesses and social enterprises in the city.

Note: Councillors Kennedy and Wakefield, having declared a personal and prejudicial interest in the item as shareholders of The Big Lemon Bus withdrew from the meeting and took no part in the discussion or decision thereon.

7(b) Gypsies and Travellers

15(f) Responsibilities Towards Travelling Communities

- 7.16 The Mayor stated that under the Council's petition scheme, if a petition contained 1,250 or more signatures, it could be debated by the Full Council and such a request had been made in respect of an e-petition concerning Gypsies and Travellers.
- 7.17 She also reminded the Council that she intended to take the Notice of Motion listed as Item 15(f) Responsibilities Towards Travelling Communities on the agenda at this point, so as to enable one debate on the matter. She would however take the various recommendations and amendments separately during the voting on the petition report and the notice of motion.
- 7.18 The Mayor invited Councillor Simson to present her petition.
- 7.19 Councillor Simson thanked the Mayor and stated that a total of 2,309 people had signed the combined paper and e-petition which read as follows:
"We the undersigned petition the council to take immediate and effective action when gypsies and travellers set up unauthorised encampments on parks and open spaces within the city's boundary. Immediate action should mean requesting Sussex Police to use their powers under the Criminal Justice and Public Order Act 1994 rather than using the long-winded process of repossession of the land through the courts. We also petition Council to recognise that providing a permanent site in the city will only accommodate a small number of travellers who wish to remain in the city and will not deal with the problems of the many who have permanent sites elsewhere and come to the city looking for work."
- 7.20 Councillor Simson stated that the petition had resulted from the need of residents to express their views and feel that they were being listened to and to get some clarity on what action could be taken when areas of land were taken over by unauthorised encampments. It had become clear when such encampments occurred the police would not take any action immediately but would rather monitor the situation. She also noted that the travelling community tended not to use the transient site at Horsdean. She believed that the police should be encouraged to use the powers available to them at the earliest point in time and that access to important areas should be prevented.
- 7.21 The Mayor then invited Councillor Simson to move her amendment to the recommendation contained in the report.
- 7.22 Councillor Simson moved the amendment on behalf of the Conservative Group and stated that the current administration needed to clarify its position in regard to the treatment of gypsies and travellers and unauthorised encampments.

- 7.23 Councillor Wells seconded the amendment and noted that he had sought the assistance of the Cabinet Member concerned to deal with an unauthorised encampment, but had been referred to the police instead. He believed the responsibility lay with the Cabinet Member and hoped that he would respond to the matter.
- 7.24 The Mayor then invited Councillor West to move his notice of motion.
- 7.25 Councillor West moved the notice of motion on behalf of the Green Group and stated that he believed there were no more travellers in the city than there had been last year. He accepted that the council had a duty to its residents, but stated that there was also one to gypsies and travellers who were often a marginalised group. He was fully aware of the concerns being raised and had asked for an urgent review of the Travellers' Strategy and to look at possible sites that could be used for short-term toleration.
- 7.26 Councillor Randall formerly seconded the motion.
- 7.27 Councillor G. Theobald moved an amendment on behalf of the Conservative Group and stated that he believed the number of incursions had increased significantly. There had been five separate instances in Patcham and Withdean recently and he believed that if the council requested the police to take action, then the police could use their powers to move the travellers on and refer them to Horsdean.
- 7.28 Councillor K. Norman seconded the amendment and referred to the recent encampment at 19 acres, which was an area of environmental interest and had previously been closed off but was opened to enable access for travellers. He also noted that the Leader of the Council had apologised to the Ward Councillors for the failure to inform of the decision to open up the 19 acres site, but he asked for confirmation as to who was consulted on the decision.
- 7.29 Councillor Mitchell moved an amendment on behalf of the Labour & Co-Operative Group and stated that whilst she could agree with a lot of the actual motion, she felt that there was a lack of clarity from the Administration which had not been helped by the statements from the MP for Pavilion. The Labour & Co-Operative Group had supported the intention to identify permanent plots for travellers with a local connection and recognised that it was not possible to prevent incursions but there should be a clear and uniform means of dealing with such incursions.
- 7.30 Councillor Hamilton seconded the amendment and stated that he felt the council needed to have a co-ordinated approach to dealing with issues and was concerned about recent newspaper articles which he felt had not helped the situation. He hoped that an understanding could be reached with the police so that available powers could be used and any incursions dealt with quickly and calmly.
- 7.31 Councillor C. Theobald stated that she felt the Administration had not been fair to residents in their approach to gypsies and travellers and that tolerated sites had been identified. She also queried whether the costs associated with maintaining those sites had been taken into account.
- 7.32 Councillor Simson stated that there was a need to balance both the needs of residents and those of the travelling community. However, it had become apparent that the needs

of residents were not being taken into account, hence the petition and she hoped that some action could be taken to redress that balance.

- 7.33 Councillor Mears suggested that residents were confused and did not understand the position of the Administration and a clear message needed to be given in respect of how the council would respond to any unauthorised encampment.
- 7.34 Councillor Follett stated that he was concerned about the reaction of certain councillors and welcomed the comments from Councillor Hamilton in regard to the issues that were being raised. He believed that consideration needed to be given to the needs of the travelling community and that action should be taken appropriately.
- 7.35 The Mayor congratulated Councillor Follett on his maiden speech.
- 7.36 Councillor Randall stated that an apology had been made to the Ward Councillors in respect of the action taken to open up 19 acres, however there was a need to address a difficult set of circumstances. He also believed that previous attempts to resolve the problem of unauthorised encampments had not achieved anything and that there was a need for the council to find a solution. The site at Horsdean offered permanent transient sites but was not liked by the travelling community and therefore a better understanding of why that was the case was required. He also felt that there should be consultation with both residents and the travelling community to see if a more balanced approach could be found.
- 7.37 Councillor West stated that he could not accept the Conservative Group's amendment and noted that the MP for Pavilion had signed an early day motion which had cross-party support. He also recommended the recent Cabinet report to all Members and asked that they support its intentions.
- 7.38 The Mayor noted that an amendment had been moved along with the recommendation to refer the petition to the Cabinet Meeting and stated that she would put them to the vote.
- 7.39 The Mayor then put the Conservative Group's amendment to the vote, which was lost.
- 7.40 The Mayor then put the recommendation as listed in the report to the vote which was carried.
- 7.41 **RESOLVED:** That the petition be referred to the Cabinet Meeting for consideration.

15(f) Responsibilities Towards Travelling Communities

- 15.27 The Mayor then stated that she would deal with the Notice of Motion, Item 15(f) and noted that two amendments had been moved.
- 15.28 The Mayor then put the Conservative Group amendment to the vote, which was carried.
- 15.29 The Mayor then put the Labour & Co-Operative Group amendment to the vote, which was lost.

15.30 The Mayor then put the following motion as amended, to the vote:

“This council shares the concerns expressed by residents about the behaviour of some members of the Gypsy and Traveller groups visiting the city, and it condemns anti-social or criminal behaviour by anyone. Where such behaviour is evidenced and substantiated, the Police should take appropriate and proportionate action.

The council should continue to adopt a fair but firm approach to the issues raised by unauthorised Traveller encampments. Working in partnership with the Police, it should use:

- Government guidance introduced by the previous Government and new guidance in “Planning for Traveller Sites”, once adopted
- Brighton and Hove City Council’s Traveller Strategy, which the previous administration introduced in June 2008.

This council recognises Gypsy and Traveller communities’ heritage and the right to continue their nomadic lifestyle, as enshrined in law. It will continue to work with Friends and Families of Travellers and other organisations to address the problems faced by travelling communities and with residents’ groups, local action teams etc. to address the problems faced by the local residents.

It also acknowledges the excellent work of the council’s Traveller Liaison Team and urges all Council Members to behave in a mature, respectful and tolerant way when debating the presence of Gypsy and Traveller groups in the city, in accordance with relevant codes of conduct.

Therefore

1. This Council resolves to ask the Cabinet:

- (a) To continue the search for another permanent Traveller site in the city taking into account the thorough work of previous Conservative and Labour Administrations;
- (b) To continue to work with other local authorities to seek a regional solution to the provision of Traveller sites;
- (c) To follow the firm but fair approach adopted by the previous Administration to the issues raised by unauthorised Traveller encampments, working in partnership with the Police on special initiatives like Operation Monza, where necessary;
- (d) To establish a cross-party review of the Traveller Strategy as soon as possible to relieve the pressures created by unauthorized Traveller encampments; and

(2) The Council welcomes government proposals to ‘raise awareness amongst councillors of their leadership role in relation to traveller site provision; [1].”

[1] 'Planning for Traveller sites' Consultation, Department for Communities and Local Government, April 2011.

15.31 The motion was carried.

7.42 The Mayor then adjourned the meeting for a refreshment break at 7.05pm

7.43 The Mayor reconvened the meeting at 7.35pm and in view of the absence of the lead petitioner for Item 7(c) took Items 8 and 9 before returning to Item 7(c).

7(c) The Level

7.44 The Mayor stated that under the Council's petition scheme, if a petition contained 1,250 or more signatures, it could be debated by the Full Council and such a request had been made in respect of an e-petition concerning The Level.

7.45 The Mayor invited Mr. A. Morris to present his petition.

7.46 Mr. Morris thanked the Mayor and stated that a total of 3,044 people had signed the combined paper and e-petition which read as follows:

"We the undersigned petition the council to take account of our opposition to any structural development of the area of the Level north of the Rose Walk. We believe that a new and improved skate park should be built in the southern play area."

7.47 Mr. Morris stated that he hoped the council would take account of the number of people who had signed the petition and noted that the two interest groups who were integral to the lottery fund bid felt ignored throughout the consultation process. The concern expressed by parents who would have children using the play area in the south and the relocated skate park in the north had not been addressed and it would appear that the impact of the new skate park had not been fully explained as part of the consultation. He believed that The Level was a historic open space and it needed to remain as such and any relocation of the skate park to the north would be a disaster.

7.48 Councillor West noted the petition and stated that Mr. Morris had been given the opportunity to present it to the Cabinet Member Meeting at which the decision was taken, but chose not to and therefore it could not be taken into account. He noted that the consultation process had been extended and the options put forward for people to express their views on. The majority of respondents had indicated they were in favour of moving the skate park and wanted to see the bid succeed. In taking the decision he felt that he had to take account of the majority of people being in favour of moving the skate park and to breathe new life into city centre with the development of the area. He acknowledged that his personal view had been to leave the skate park in the south but the public view was that it should be moved and he wished to thank the residents and officers for their work in taking the project forward.

7.49 Councillor Mitchell stated that she wished to move an amendment on behalf of the Labour & Co-Operative Group to the report's recommendation. She believed that the

matter had become controversial and that people were not clear about the impact of moving the skate park to the north would have on the area as a whole. She queried the timing of the second round for the lottery bid and suggested that there was time to review the situation and ensure that the bid had the support of the two interest groups.

- 7.50 Councillor Fitch formally seconded the amendment and noted that over 3,000 signatures had been obtained on the matter. He suggested that there was time to re-think the proposals and to submit the bid, whilst maintaining the open spaces that the users of the area wanted.
- 7.49 The Mayor congratulated Councillor Fitch on his maiden speech.
- 7.50 Councillor G. Theobald queried whether the bid had been submitted or if there was time to amend it given the degree of opposition expressed by the number of signatories to the petition. He suggested that further consultation could be undertaken and confirmation of their support obtained from the two interest groups that were party to the lottery bid.
- 7.51 Councillor Mears stated that she fully supported the investment in The Level but could not support the proposed relocation of the skate park to the north. She argued that The Level had two distinct areas, the north being recreational and the south a play area. She was also concerned about how the regular Fair and Festival activities would be accommodated if the skate park was moved to the north. She queried whether the funding for the skate park was attributed to the lottery bid or was to be found via a Section 106 Agreement.
- 7.52 Councillor Smith stated that he could not support the loss of an area that was used by residents as recreational space with the imposition of the skate park. He believed that further consultation should take place and the Cabinet Member should consider the matter further.
- 7.53 Councillor J. Kitcat stated that a thorough consultation process had been undertaken and 55% of the respondents had voted in favour of moving the skate park to the north. He also noted that at the recent Cabinet Member Meeting, opposition councillors had not raised the question of reviewing the matter or deferring the decision and had not made a call-in request following the decision. He stated that there was a need to accept the views of the majority and to take forward that mandate.
- 7.54 Councillor Peltzer Dunn referred to the proposed amendment and suggested that it was possible for Councillor West to reconsider the decision and to take account of the views expressed by a significant number of people.
- 7.55 Councillor Simson stated that she felt there was a need to take account of the views of the families that used the current play areas and their concerns should the skate park be moved to the north of not being able to watch their children in both areas. She also suggested that there was time to re-examine the options and to retain the skate park in the south.
- 7.56 Councillor West noted the comments and stated that the consultation process had shown 3 times more families in favour of moving of the skate park to the north and to be

separate from the play area. Of the 28,000 people consulted, 55% had been in favour of moving the skate park and he felt their preference should be supported. He noted that the proposed amendment 2.2 referred to the second round of the lottery bid and that to date there had only been one round, the intention was to submit the bid for the second round. He believed local ward councillors, officers and residents had worked very hard to take the project forward and therefore he could not support the amendment and stated that the bid should be submitted.

- 7.57 The Mayor noted that an amendment had been moved along with the recommendation to refer the petition to the Environment & Sustainability Cabinet Member Meeting and stated that she would put them to the vote.
- 7.58 The Mayor then put the Labour & Co-Operative Group's amendment to the vote, which was carried.
- 7.59 The Mayor then put the substantive recommendations as amended to the vote which were carried.
- 7.60 **RESOLVED:**
- (1) That the petition be referred to the Environment & Sustainability Cabinet Member Meeting for consideration; and
 - (2) That it be noted Brighton and Hove City Council was successful in the second round of the Heritage Lottery Fund Parks for people funding programme and that the council's bid for funding has to demonstrate engagement with community groups;
 - (3) That it be noted the friends of The Level and The Triangle Community Group, both named in the bid, are opposed to the moving of the skate park into the northern area;
 - (4) That given the degree of public opposition as evidenced by this petition to the decision by the Cabinet Member for Environment and Sustainability to move the skate park into the northern area and the fact that the Cabinet Member stated when he took the decision that he is personally opposed to this move, that the proposals are now reviewed;
 - (5) That as a part of this process the council should draw up and publish more detailed plans and illustrations that clearly demonstrate the impact that the skate park would have on the open, northern area including any safety features such as fencing, planting and landscaping; and
 - (6) That meanwhile all monies held by the council in relation to The Level are ring-fenced and safeguarded for that purpose.

8. WRITTEN QUESTIONS FROM COUNCILLORS.

8.1 The Mayor reminded the Council that written questions and the replies from the appropriate councillor were now taken as read by reference to the list included in the addendum, which had been circulated as detailed below:

(a) Councillor Hamilton

8.2 “In the dying days of their administration, the Conservative Cabinet voted to sell off half of the council owned site in Victoria Road, Portslade, home of the former Portslade Urban District Council. The disposal was to include the Council offices, a bowling green, the car park and the public toilets. There is widespread concern about this proposal in Portslade. Extension of the bowls pavilion, relocation of staff from other buildings, a police presence in the building and a home for any future community forum are all options that have been proposed by local people. Will you agree to put the proposed disposal on hold and carry out a full appraisal and consultation on the future use of the site?”

Reply from Councillor J Kitcat, Cabinet Member for Finance and central Services.

8.3 “The entire Portslade Town Hall site (including the Town Hall, housing offices, car parking, public toilets, bowling green, practice area and pavilion) has been identified through the asset management process as an under-used site with the buildings being in a poor condition. The Town Hall itself is well used by local groups but is expensive to maintain and requires substantial investment to improve and prolong its life. The council has a duty to ensure that it is making best use of its land and property assets.

We propose to show our commitment to Portslade Town Hall and use the capital receipt from the disposal of the under-used part of the site to reinvest in the Town Hall. We plan to refurbish and extend it to create new offices to support a new neighbourhood customer service contact and access point. All the features of Portslade Town Hall are to be retained and enhanced, especially historical artefacts and the Compton organ. Our aim is to ensure the Town Hall’s long-term viability as a publicly-owned resource for the community.

This proposal is currently being consulted on with a variety of local clubs and organisations who use the Town Hall regularly and a broad range of local community groups (approx 12+) who may wish to use it in the future. The feedback is positive so far.

Other voluntary and public sector organisations are also showing interest in using it for similar customer access functions, including the police. Consultations are on-going, and again are enthusiastic.

Car parking concerns are being met through approx 10 dedicated public car spaces around the Town Hall. This is a reduction but the area is well served by nearby car parks that could be used when required through appropriate negotiations.

The proposal also includes an extension to the bowling green to square it off so that it can be played on from both sides. There is an area for a new bowls pavilion next to the Green with access to the car parking. The bowlers should gain from all these changes.

Consultations are carrying on with the various interested stakeholders and will inform the development of the informal planning and marketing brief. A better use of the site for much-needed new housing; a viable, refurbished Portslade Town Hall and the other benefits previously mentioned is what we are working towards for the benefit of the local community.”

(b) Councillor Pidgeon

- 8.4 “Could the Cabinet Member for Finance and Central Services confirm how many full time equivalent trade union representatives and local constituency representatives were employed by the Council during 2010-11 and how this compares to other similar unitary authorities?”

Reply from Councillor J Kitcat, Cabinet Member for Finance and central Services.

- 8.5 “Corporate representatives
In 2010-11 we had one employee who was employed full-time as a trade union convener for GMB.

In addition, we had a number of employees who were granted release from their substantive posts to represent their members within the council's workforce. The total Full Time Equivalent (FTE) of these representatives broken down by union was 9.65 (Unison 6; GMB 3; NUT / ATL / NASUWT 0.65).

The table below sets out how this figure compares with some other similar Unitary Authorities:

Council	Level of Trade Union Release
BHCC	10.65 FTE
Council A	2.0 *
Council B	19.0 *
Council C	1.0*
Council D	3.3 FTE
Council E	4.0 *
Council F	3.0 *

Note: * from the information available it is unclear whether this figure relates to headcount or FTEs

It would appear from our research that other local authorities do not hold detailed information on trade union release. This makes it difficult to compare the level of trade union release within BHCC with other authorities in a meaningful way.

Local constituency representatives

A number of other council employees (164) were allowed release on an ad hoc basis to represent their members within their local service area. The time these individuals spent on trade union duties is not recorded centrally.

It is worth pointing out that the vast majority of these representatives generally do not get involved in representing colleagues in formal procedural matters. This role tends to be carried out by those employees on corporate release. Instead they play a key role in disseminating information within their respective constituencies.”

(c) Councillor C Theobald

- 8.6 “Can the Cabinet Member for Planning, Employment, Economy & Regeneration tell me whether any work is currently being carried out, or will be carried out in the near future, on assessing the economic impact of introducing a ‘workplace parking levy’ in Brighton & Hove as set out in the Green Party’s local election manifesto?”

Reply from Councillor Davey, Cabinet Member for Transport and Public Realm.

- 8.7 “Thank you for your question Councillor Theobald.

The priority we accorded to work place parking charges in our manifesto is an indication of one of the ways that we intend to give the city a fresh start. Transport measures to reduce the impact of cars on the city are part of how we will achieve this and the proposal is consistent with the 3 main priorities that Cllr Randall set out last month. But this measure is about more than just the economy.

This measure will help tackle and reduce some of the inequality that exists in journeys to work, because not everyone has access to a car. Car traffic and busy roads can affect local communities and reduce people’s quality of life.

It will contribute to making Brighton & Hove the greenest city in the UK by addressing the impacts of commuter car journeys, by reducing vehicle emissions.

And it will only be introduced, following consideration of the responses we receive through involving the community more in decision making, especially local businesses.

At present, no work is being carried out on this initiative but we will be asking officers to prepare briefings on the options and opportunities available to begin this process. This will include consideration of the economic benefits and impacts. Learning from the experiences of other cities that have considered the idea – especially Nottingham – we will be able to assess the likely effects of introducing the measure.”

(d) Councillor Peltzer Dunn

- 8.8 “Would the Cabinet Member for Communities, Equalities and Public Protection confirm that it is the Councils duty to enforce bye laws which are legally in place within the City?”

Reply from Councillor Duncan, Cabinet Member for Communities, Equalities and Public Protection.

- 8.9 “There is no mandatory duty or automatic requirement to prosecute for breaches of bye laws. We are required to look at each case on its merit and, as I understand it, a blanket policy of prosecution for each and every breach, apart from being costly and impracticable, would, in itself, be unlawful and could be challenged by way of judicial

review. The Council has in place an enforcement protocol, where enforcement is the last resort and not the first. Normally, unless serious, a warning should be given and this generally deals with the problem.

We also have to be aware whether it is in the public interest or the interest of justice to take action. The Council as well as the Crown Prosecution service are subject to good practice guidance which requires prosecution to be undertaken only when in the public interest. Minor technical breaches will, generally, not be prosecuted. It is normally where there are serious or persistent breaches that we will consider action."

(e) Councillor Carden

- 8.10 "Will the Leader confirm exactly how much money this council has spent on dealing with unauthorised Gypsy and Travellers encampments since the new administration came into power in May 2011?"

Reply from Councillor Randall, Leader of the Council.

- 8.11 "Since 05 May 2011, The Council has spent £30,368 in relation to the management of unauthorised Gypsy and Travellers encampments. This figure consists of:

- Clear up costs, and waste management - £21,803
- Removal and storage of Traveller vehicles following eviction - £2,850.00
- Legal costs - £5,715.00

These costs include those incurred by two unauthorised encampments that were established prior to the new administration forming, where services were provided after 5 May 2011. These two encampments were evicted on 9 May 2011.

With the exception of the storage of Traveller vehicles, this reflects normal costs associated with managing unauthorised encampments at this time of the year."

(f) Councillor Mitchell

- 8.12 "Would the Leader of the Council please give details of the current number of council employees that have accepted or been offered voluntary redundancy packages, the number of deleted posts and the number of any permanent redundancies occurring since 1st April 2011?"

Reply from Councillor Randall, Leader of the Council.

- 8.13 "The council has a good reputation for working in partnership with trade unions to reduce the need for compulsory redundancies. Since April 2011 four employees (excluding schools based employees) have left the council with a voluntary redundancy package. These posts have since been made redundant. We are maintaining a robust approach towards vacancy management with establishments being managed locally.

The approved council budget for 2011/12 included savings proposals that were expected to result in a reduction of approximately 250 full time equivalent posts including value for money proposals to reduce management and administration costs. In order to achieve these reductions, the council is currently running a voluntary severance scheme so as to try and reduce the need for compulsory redundancies arising from budget cuts.

Alongside the deletion of existing vacancies and expected normal turnover during 2011/12, the voluntary redundancy scheme is seeking to attract approximately eighty employees who are prepared to leave the authority on pre agreed financial terms. Decisions arising from this scheme will be made later this month, and we hope to find eighty approved applicants.

It is likely that, following the completion of the voluntary severance exercise, a number of local consultation exercises will take place which would then result in movement of some colleagues into new or different roles and posts being deleted. Only when all of this activity has been completed will we know the final reduction in the number of full time equivalent posts.”

(g) Councillor Mitchell

8.14 “Does this administration:

- a) share my concerns regarding the consistent overspending of the council’s communications service, who in 2009/10 overspent by 46.3% (£272,000), in 2010/11 overspent by an increased 109% (£459,000) and are this year predicted to overspend by £311,000, and;
- b) what does this administration plan to do about this consistent overspending by the communications team, at a time when services such as children and young people and adult social care are facing unprecedented cuts?”

Reply from Councillor J Kitcat, Cabinet Member for Finance and Central Services.

8.15 “As the Cabinet Member with responsibility for the council finances I am of course concerned about any overspends by council services. As soon as I took my position I looked into the communications budget in some detail. The historical position has been that each directorate (and now service unit) has held its own communications budget. The central corporate communications unit has also had a small budget (the communications operational budget), which is the one being reported as overspent.

Previously directorates and service units could, and did, spend their communications budgets with a wide variety of suppliers. This resulted in inefficient use of funds and failed to take advantage of the council’s size to negotiate the best prices. The central communications unit are leading a process of drawing all the Council’s communications budgets into a single budget line which will enable smarter spending, consolidation of suppliers, standardised branding and economies of scale. In the previous year this process already has saved £650,000; however this saving was shown in individual directorates’ budgets, not the central communications unit’s operational budget.

The communications operational budget has been overspending for the last 2 financial years due to a shortfall on the advertising budget, specifically City News, and staffing pressures. Unfortunately the budget consolidation has also been slower than planned, adding to these budgetary pressures. An accelerated timescale to consolidate communications budgets from across the Council has now been agreed with a target to introduce key changes by the end of this financial year. As a result of these changes the overspend will be resolved. In meantime the Communications Team have been holding vacancies to reduce costs (headcount has reduced by 19%). However, this is starting to cause significant pressures.

I continue to keep a very close eye on communications spending. I am also reviewing future plans for City News and other communications to make sure they are cost effective and deliver best value for our citizens.”

(h) Councillor Marsh

8.16 “What is the administration’s view on the Education Bill and its proposals to remove:

- a) local parents’ ability to challenge decisions about admissions and exclusions
- b) make a local complaint
- c) the local admissions forum
- d) this city’s successful school places lottery

Can you explain how this administration:

- a) intends to encourage faith Encourage faith schools to subscribe to the local authority admissions system, rather than set their own admissions policies, as stated in your manifesto?
- b) will encourage local schools to collaborate and share best practice, as stated in your manifesto?
- c) will protect youth services, especially for young people at risk of becoming NEETs (Not in Education Employment or Training) or falling into the criminal justice system, as stated in your manifesto?
- d) plans to campaign for a reinstatement of Building Schools for the Future money, as stated in your manifesto?
- e) is going to help groups of schools develop in-house environmental officers posts to save money and reduce the city's carbon footprint, as stated in your manifesto?”

Reply from Councillor Shanks, Cabinet Member for Children and Young People.

8.17 “The Council is preparing a full response to the consultation on the proposed new School Admissions Code. This will make plain the Council’s opposition to any removal of parental rights of complaint, the proposed removal of a statutorily constituted Admissions Forum, and any limitation on the use of random allocation as a tie break for Community Schools. The proposed changes on school admissions and the Admissions Code are mixed, with some positive changes, but some, such as the proposal to remove

coordination of admissions in year, would in our view have an extremely negative impact on children and families. Our position will be made clear through this Council's response to the consultation.

Can you explain how this administration:

- a) *Intends to encourage faith Encourage faith schools to subscribe to the local authority admissions system, rather than set their own admissions policies, as stated in your manifesto?*

Councillor Marsh will be aware of the fact that they have a legal right to prioritise admissions on the basis of religious affiliation. That does not mean that faith schools are excluded from ongoing discussions and consultation on the provision of school places. At a time when there is growth in the demand for school places in the City. However, we believe that a collaborative approach is the right way forward, and we do recognise that faith schools operate within a different legal framework to Community Schools. Nonetheless we do want to have a conversation with faith schools around the possibility of their offering a proportion of local community places that do not rely on religious affiliation.

- b) *Will encourage local schools to collaborate and share best practice, as stated in your manifesto?*

Collaboration and sharing of best practice amongst schools is already a reality, and the Council is strongly supportive of school led initiatives in this area including cluster working, the Behaviour and Attendance Partnership and the Learning Partnership. My administration will encourage the development of these and other initiatives which will drive towards a cohesive and fully inclusive education system.

- c) *Will protect youth services, especially for young people at risk of becoming NEETs (Not in Education Employment or Training) or falling into the criminal justice system, as stated in your manifesto?*

Officers of the Council are working with schools and colleges to ensure the right provision so all young people will have a suitable placement age 16. The Youth Employability Service will work with young people aged 16 – 18 who are NEET and 4 Advisers will work with young people with SEN to support them from school into FE or work with training. Consultation on a commissioning strategy follows the Youth Service review. The Administration has considered the Youth Review findings and will consult on a three year commissioning strategy to improve outcomes for all young people, and to reduce inequality and child poverty including those at risk of becoming NEET or falling into the criminal justice system.

- d) *Plans to campaign for a reinstatement of Building Schools for the Future money, as stated in your manifesto?*

It is our view that a replacement programme is essential to ensure that capital is available to improve and enlarge the secondary estate outside of the Academy option. This view will be made known to Ministers. The James review contained 16 recommendations regarding the future of capital expenditure in schools, the

fundamental premise of these recommendations is that funding should follow need, either in terms of additional school places or the condition of the school estate. The review suggests that better value for money can be obtained by increased central procurement and frameworks for procurement.

e) *Is going to help groups of schools develop in-house environmental officers posts to save money and reduce the city's carbon footprint, as stated in your manifesto?*

I stand by our commitment to develop in-house environmental officer posts. There are many individual examples of work already undertaken in this area and broader initiatives including Eco-schools status. I believe that we are pushing against an open door as schools are already well down the road of carbon reduction and environmental awareness. A network of designated school staff will help share best practice on carbon reduction, and lower energy consumption will lead to savings for schools."

(i) Councillor Farrow

8.18 "What is the council doing to attract new media enterprise to the city, as well as supporting current media business in the city?"

Reply from Councillor Bowden, Cabinet Member for Culture, Recreation and Tourism.

8.19 "The city has rightly been identified as a new media enterprise hub for the whole country – most recently in studies published by IBM and HSBC. The Council works closely with partner organisations such as Wired Sussex, the Brighton & Hove Economic Partnership and both Universities to support the development of the existing business base in Brighton & Hove and to attract more companies.

The city council has an approved Business Retention and Inward Investment Strategy that identifies the creative industries /digital media sector as a key sector for growth in the city. Support for the sector includes tailored property searches for media businesses, the delivery of six targeted workshops over the last 18 months (attended by over 450 business representatives), part funding a successful digital internship programme with Wired Sussex and the University of Sussex and disseminating information on key international opportunities for partnerships and funding.

Our Administration is also looking at the future of New England House as a potential Media Hub and we would support actions to develop the media sector through the Local Enterprise Partnership.

In supporting the wider cultural sector in the city, we are also creating and maintaining the environment that these kind of businesses need to grow and flourish.

I am particularly looking forward to the Digital Festival this September led by Lighthouse - an excellent example of the strength and vibrancy of the sector."

(j) Councillor Wealls

- 8.20 “Would the Cabinet Member for Housing give a pledge to continue with the commitment of the previous Conservative Administration to ring-fence Supporting People funding, which provides housing-related support for some of the most vulnerable residents in Brighton & Hove?”

Reply from Councillor Wakefield, Cabinet Member for Housing.

- 8.21 “The current administration is fully committed to protecting the successful Supporting People Programme that funds housing-related support services that make a real difference to local vulnerable people in our city. The programme has consistently delivered positive benefits to a range of service users, from people that are homeless, rough sleeping, people with mental health and substance misuse problems and older people with support needs.

Our local providers have effectively delivered services of high quality, performance, excellent value for money and good outcomes. We recognise the strong commitment from previous Conservative Administration to protect Supporting People services. We as the new Green administration fully support the current Supporting People Strategy signed off by the previous administration.”

(k) Councillor Barnett

- 8.22 “Would the Cabinet Member for Environment and Sustainability confirm who authorised a provision of the bund at the 19 acre site, the date of the provision of the bund and the cost of same? Will he further confirm the authorisation of the removal of the bund, the date of same and the cost for carrying out such works?”

Reply from Councillor West, Cabinet Member for Environment and Sustainability.

- 8.23 “A Bund has been in place at this site for at least 10 years. A new long section of bund was provided to cover the 19 acres site in May 2011 at a cost of £1000. This section of bund was further reinforced in early July 2011 at no cost to the Council, as a highway contractor was working on site and had surplus chalk.

The authorisation for the levelling of a small 3 metre section of bund was made by Senior officers of the council on the 8th July 2011 and was carried out by the in-house city parks team no cost to the Travellers Liaison Service. For information a typical cost for re-instating this section of bund would be £80, with a further £37 if more chalk material is required.”

9. ORAL QUESTIONS FROM COUNCILLORS

- 9.1 The Mayor reminded the Council that councillors’ oral questions would be taken in the order as listed in the council agenda and that a period of 30 minutes was set aside for the item. Should any questions not be reached at the end of the time period, those councillors would have the opportunity for their question to be carried over to the next council meeting.

- 9.2 The Mayor then called on Councillor G. Theobald to put his question to Councillor West as Cabinet Member for Environment & Sustainability.
- 9.3 **(a)** Councillor G. Theobald asked, “Should residents expect a weekly refuse collection?”
- 9.4 Councillor West replied, “Some residents have different collections to others. Residents living in the city centre using communal bins for example compared with black sacks or wheelie bins. Our intentions regarding how food waste may change things, we haven’t yet decided on what scheme we will employ. We are discussing a variety of options.”
- 9.5 Councillor G. Theobald asked the following supplementary question, “Is it your policy to take away a weekly collection from residents?”
- 9.6 Councillor West replied, “It’s our policy to drive up the recycling rates from the powerless level they are at, that we inherited from your administration and to improve the general service to residents that is problematic and some residents are unhappy with. It could be done so much better, that’s no disrespect to your office at all. We intend to improve the situation considerably, in order to improve cleanliness, recycling and rates.”
- 9.7 **(b)** Councillor MacCafferty asked, Can the leader of the council tell me what progress has been made with the Green Party’s manifesto commitment to work towards the introduction of a living wage in Brighton and Hove and a reduction in the salary ratio to 10 to 1 between the highest and lowest paid employees working for the City Council?”
- 9.8 Councillor Randall replied, “I can announce that we are taking 2 steps towards the introduction of a living wage in Brighton and Hove which is one of our key manifesto pledges and is part of our wider commitment to reduce the inequality in the city where 22,000 children live in poverty for instance. Step 1 the consulting from today on introducing a 59p an hour rise this September to the council’s lowest paid workers which should bring them up to a rate of £7.19 an hour. This will cover around 250 staff many of them women and part time workers. We propose to offer the same rise to the lowest paid workers in school; the council will cover the cost of the rising schools in the current financial year. The full year cost of our proposals is £109,000 on council services which represents 0.05% of the council’s budget and £70,000 for schools. The average secondary school increase is £2209 a year for primary schools the average £652 a year. Assuming a September implementation, the cost for 2011-2012 will be £63,500 for the council and £40,800 for schools. Our plans are being discussed with Unison and the GMB who have given their support. Indeed Unison is very supportive of the initiative and has said they will give whatever assistance they can to take it forward and the next part which is step 2 is the setting up of a living wage commission for Brighton and Hove, which will look at the benefits, risks and opportunities of establishing a living wage in the city public, private and 3rd sectors.

This initiative has the support of the GMB, Unison, the Brighton & Hove Chamber of commerce which represents 450 businesses in the city, CBSF, Brighton University, Brighton and Sussex University Hospital Trust and the Sussex Police Authority. We will draw on the experience of other local authorities, here and abroad and the work carried out for the Living Wage foundation by Loughborough University, work that is funded by the Joseph Ramsey Foundation. The director of the Living Wage Foundation has

agreed to sit on the commission which will start work in October and report in March 2012. The full terms of reference will be published next week. In particular the commission will be charged with establishing a living wage based at an hourly rate of the City of Brighton and Hove by ensuring that local businesses remain effective and competitive. Many people in our city are paid low wages and one avenue to ending this situation is to do everything we can to bring more high value jobs to the city. However we believe it is important to establish a realistic and fair living wage for the city and I urge the other parties to join us in this important work and hope that each would nominate a member for the commission. National research shows that paying a living not only lifts people out of poverty but also increases productivity and reduces days lost to sickness.

Finally another of our manifesto pledges is to reduce the pay gap between the highest and lowest paid workers in the council to a ratio of 10 to 1 and I am pleased to announce that the Chief Executive John Barradell has agreed to forego 5% of his salary which brings the ratio down to just above 11 to 1 and I thank him for his help. I am also taking a voluntary reduction of 5% in my leader's allowance. The money saved by these reductions will be ear marked to help protect frontline services."

- 9.9 (c) Councillor Cobb asked, "Last year, Councillor Duncan wrote on his blog that the stealing of public money through benefit fraud is a petty crime and that sending benefit fraudsters to jail is another way in which the poorest in our society are discriminated against. Does the new cabinet member for finance and central services share his view?"
- 9.10 Councillor J. Kitcat replied, "Recent figures are released by the DWP and the Office of National Statistics show that the level of fraud relating to benefits is about a third of the level of moneys lost relating to error. So when one puts things in perspective the amount of time that the party on that side of the chamber talk about fraud when the error in the current systems costs the tax payer so much more it leads one to wonder what are their priorities? The careful spending of tax payer money or making cheap political points?"
- 9.11 Councillor Cobb asked the following supplementary question, "The previous administration made tackling benefit fraud in the city one of its top priorities recovering between £800,000 and 1 million pounds a year. Through improving procedures and better coordination between the different agencies involved. Can the Cabinet Member reassure residents that the new Administration will continue with this zero tolerance approach to the theft of public money?"
- 9.12 Councillor J. Kitcat replied, "We continue to treat every penny of public money carefully and we will investigate any reports to us of alleged benefit fraud. The conservative led government are actually implementing a change to the way benefit fraud is handled and from April 2013 all benefit frauds will be centralised into a single DWP unit known as the Single Investigation Service so some of this will actually be taken out of our hands but I can assure the residents of this city and the councillors that we believe in value for money and treating all public money extremely carefully."
- 9.13 (d) Councillor Farrow asked, "Have this administration acknowledged a recent e-petition from Mr Christopher Kiffit chair of Brighton and Hove Tenant City Wide Assembly regarding the state of some of the city's dropped kerbs and what will they be doing to address the concerns raised?"

- 9.14 Councillor Davey replied, "I am aware of the petition but normal protocol dictates to wait for the petition to come forward from the person who raised it before I can offer a particular response to that. On the matter of dropped kerbs in general I recognise that they are of great importance to people in the city. Particularly, but not exclusively to those with disabilities. I understand that the program is normally funded through the local transport plan but is significantly supplemented by section 106 money where those opportunities arise. Last year for example when the local transport funding was removed for this project as a result of the cuts imposed by the government's in year funding cuts, 80 were actually achieved through section 106 money. In this years budget there is a budget of £25,000 which although helpful, at £2,000 per pair will not stretch very far. So we are going to have to seek whatever monies we can to extend the program but improving the general environment for walking in the city is an absolute priority for us."
- 9.15 Councillor Farrow asked the following supplementary question, "Are the administration aware that the disability discrimination act 2005 requires the council to make reasonable adjustments to physical features such as kerbs which make it impossible or unreasonably difficult for a disabled person to make use of and will the administration promise to comply with this legislation and also promise to involve as much as possible, disabled residents in planning any future work?"
- 9.16 Councillor Davey replied, "Of course we will include disabled people. There is the transport partnership which all parties here are represented on, so at times there hasn't been a disability representative on that and I hope there will be in the future."
- 9.17 **(e)** Councillor A. Norman asked, "The war memorials in the city are dedicated to those who made the ultimate sacrifice in 2 world wars and more recent conflicts. What plans does the Green Administration have to protect the war memorial in the Old Steine from those who see it as a place to relax, eat sandwiches and allow children to play games?"
- 9.18 Councillor J. Kitcat replied, "As I understand it there has actually been only one incident of damage to that war memorial in recent years, the council had been made aware of and was dealt very quickly. The fact that people move around the area where the war memorial is actually improves the security as it means there are people passing by. If it was left isolated and not visible to all, there would be more room for anti social behaviour to occur."
- 9.19 Councillor A. Norman asked the following supplementary question, "I wasn't specific in referring to damage to war memorials; I was referring to people who don't respect the war memorial. So my supplementary was going to be, would it be an idea to leave the reef that was laid on Remembrance Sunday from the Lord Lieutenant and perhaps the one from the Mayor in situ because if people can see it's a war memorial it does tend to deter them from what I would call anti social and insensitive behaviour?"
- 9.20 Councillor J. Kitcat replied, "It sounds like a good idea, we will have to discuss that with the British legion and see if that is possible."
- 9.21 **(f)** The Mayor noted that in Councillor Morgan's absence his question would be held over to the next Council meeting.

- 9.22 **(g)** Councillor Mears asked, "Will the cabinet member confirm her support for the work undertaken and brought forward by Tenant working groups and HMCC under the previous Administration?"
- 9.23 Councillor Wakefield replied, "I recognise the work that you and your predecessor did in the involvement of resident groups in this area to have the tenants voices is very important. I also hear you referring to the question on care on care leavers and housing, this was addressed in the cabinet meeting the answer is they're in the cabinet papers.

On tenant involvement we want to see the wider involvement of everyone in this city. We want to see the involvement of residents in the procurement and continued management of all properties. We recognise the important contribution of sheltered housing action group and how it's developing the services that have been developed by the tenants in our 23 sheltered schemes across the city. Personally I've been involved in quite a lot of the different tenant groups and quite a lot of the different consultations that have gone on. I firmly believe that all residents including care leavers should be given the opportunity to be involved in the shaping of our housing policies and priorities. I am also committed to continuing resident involvement through initiatives such as excellent monitoring of services that are delivered. Including the services that we as a council deliver, this includes such processes as mystery shoppers which has been very successful. I want to thank the officers for there extremely hard work in this area."

- 9.24 Councillor Mears asked the following supplementary question, "Care leavers sit under CYPT who have a duty of care until they are 25 costing approximately £600 per week per client. On reading the new format for the Green Administration's TBM month 2 report it would appear they had agreed to un-ring-fence the homeless, housing benefit and adult social care budget which will affect the most vulnerable in this city. So therefore can the cabinet member for housing confirm that this is not another budget cut by the Green administration?"
- 9.25 Councillor Wakefield replied, "There has been no actual change in the allocations policy."
- 9.26 **(h)** Councillor Robins asked, "Is the cabinet member aware of the potential difficulties facing local families in south Portslade regarding the shortage of local junior school places from 2013 which will affect classes from St Peters infants and Portslade infant school making the transition into junior school. Will the council be acquiring the premises next door to St Peters school as a possible remedy for future shortages of junior school places in the area?"
- 9.27 Councillor Shanks replied, "There is a bulge of places coming through in 2012. I have met with councillors from Goldsmid this morning and Action for Kids about primary school places in the city, I'm not entirely sure about St Peters school. We are working to try and get some extra classes in some of those schools as the bulge goes through."
- 9.28 Councillor Robins asked the following supplementary question, "Will you acknowledge these concerns and agree to meet with myself and my fellow ward councillor to review and attempt to resolve the situation?"

- 9.29 Councillor Shanks replied, "Yes that would be a very good idea."
- 9.30 **(i)** Councillor Pissaridou asked, "Can you explain your Administration's position regarding the pressing need for primary school places, both infant and junior, in West Hove?"
- 9.31 Councillor Shanks replied, "We know that there is an issue with primary school places in Hove. In terms of building new schools; the government is not allowing us to build new schools unless we do them under free schools or academy, there is an issue with funding. We are looking at possible sights for schools in Hove and its something we are concerned about."
- 9.32 Councillor Pissaridou asked the following supplementary question, "In your view will the Connaught building alone resolve the pressing need for primary school places in West Hove and Portslade because the problem in Portslade is directly related to the problem in West Hove?"
- 9.33 Councillor Shanks replied, "It will not resolve the problem and we will need to be looking at other premises for it, another primary school and other intakes perhaps extra classes etc."
- 9.34 **(j)** Councillor Marsh asked, "My ward has one of the highest numbers of young people not in education, employment or training. It also has the second highest rate of child poverty in this city at 45%. What is the Council's strategy for reducing this child poverty and reducing the rising youth unemployment with currently around 4300 young people jobless in wards like mine and across the city as a whole?"
- 9.35 Councillor Shanks replied, "I'm afraid miracles take a bit longer, we do recognise the issue in particular the 2 northern wards and the extent of child poverty is foreshown by the recent Child Poverty Needs assessment. It is something that our administration is really concerned about; inequality in the city is one of things in 4 years we would like to say we have done something about that. We want to make sure children leave school with qualifications. We want to create job opportunities to support young people as they come through to help them get into work. We want to preserve front line services such as youth services and employment services."
- 9.36 Councillor Marsh asked the following supplementary question, "What is this Council's strategy to make this city a more active and healthier place for children and young people?"
- 9.37 Councillor Shanks replied, "We have a healthy schools team that works with schools to try and improve issues, we want to encourage the health and wellbeing in the city. The healthy schools team also develop PHSE programs. Focus on sex and relationships, drug and alcohol education. It would be wrong to promise that we can do something overnight but we do want to do something about that."
- 9.38 **(k)** Councillor Gilbey asked, "As a party you have previously voted with the Labour and Co-operative Group on core strategies to attain green fill sites on the urban fringe. Will you therefore confirm that Hangleton bottom is to be kept as a green fill site?"

9.39 Councillor Kennedy replied, "Hangleton Bottom is one of the few currently designated and unused waste sites in the city. Although the site is shown in the Brighton and Hove Local Plan and the East Sussex and Brighton and Hove Waste Local Plan for waste use at the moment. The process of designation of sites is under review as part of the local development framework and the waste and minerals development framework. Accordingly it is apparent that the future designation of the site will not be resolved until at least spring 2013 because the processes are very much under way at the moment in terms of working with our partners in East Sussex around the waste and minerals development framework and also in the council. Regarding business, we are revisiting our own local development framework. The site is currently used for grazing and adjoins a residential area for the site; a property report was taken to the central services cabinet member meeting in January 2010 seeking to explore market interest in the site through the development of an informal developmental planning brief on the site. Currently property and planning are working on this process although the uncertainty about the designation of waste sites under the waste and minerals framework is a key factor.

I will of course want to take as much information as I can from ward residents not just from your ward but from adjacent wards around these issues. We are very short of land in this city there's a balance we must achieve between providing open space and immunity for residents and quality of life. But also other competing demands such as providing sites for housing, work and leisure."

9.40 Councillor Gilbey asked the following supplementary question, "Regarding the inspection, when the inspectors did the enquiry they recommended the deletion of Hangleton Bottom as a waste site at the time the Council were only looking across East Sussex for a site and they found one in Hollingdean. Will the Cabinet Member therefore listen to the people of Portslade and stop the market testing of Hangleton Bottom so land is left free of business development?"

9.41 Councillor Kennedy replied, "I was not aware that there was a campaign in Portslade around that, I would be very interested to see a petition or a deputation about that. I am very much committed to extending and opening the process to include residents and ward council."

10. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.

(a) Callover

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

- Item 11 - Cultural Provision for Children – Scrutiny Review Panel Report
- Item 12 - Overview & Scrutiny Annual Report 2010-11
- Item 14 - Withdrawal of the Core Strategy to Update and Amend

(b) Receipt and/or Approval of Reports

10.2 The Head of Democratic Services confirmed that Items 11, 12 and 14 had been reserved for discussion; and that the following reports on the agenda with the recommendations therein had been approved and adopted:

Item 13 - Annual Report of the Audit Committee 2010-11.

(c) Oral Questions from Members

10.3 The Mayor noted that there were no oral questions.

11. CULTURAL PROVISION FOR CHILDREN - SCRUTINY REVIEW PANEL REPORT

11.1 Councillor C. Theobald introduced the report and stated that the Panel had made a number of recommendations in regard to the cultural provision for children in the city and widening accessibility to that provision. She noted that the majority of the recommendations had been accepted and wished to thank the other members of the Panel and the Scrutiny Officer for their work and support in bringing the report forward.

11.2 Councillor Bowden stated that he wished to pay tribute to the Members of the Panel and stated that he believed it was an excellent report and as the Cabinet Member for Culture, Tourism and Enterprise he would seek to ensure that its findings were implemented.

11.3 The Mayor congratulated Councillor Bowden on his maiden speech.

11.4 Councillor Marsh stated that areas of good practice had been identified and she hoped that these could be extended in the future and resources utilised effectively such as the Youth Arts Workers.

11.5 Councillor Brown stated that it had been a very successful report and hoped that the dissemination of available information in respect of cultural activities would be improved. As the Chair of the Culture, Tourism & Enterprise Overview & Scrutiny Committee she would ensure that an update report on the progress was brought back to a future meeting.

11.6 Councillor C. Theobald noted the comments and hoped that improvements across the city would be enjoyed by young people.

11.7 The Mayor stated that the report had been moved and asked that it be noted.

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

12. OVERVIEW & SCRUTINY ANNUAL REPORT 2010-11

12.1 Councillor Mitchell introduced the report which outlined the work of Overview & Scrutiny over the last year. She wished to thank all the Members who had been involved and the interviewees who gave evidence to the various review panels. There had been a wide-range of activities which had been reviewed and she highlighted the work of the Adult Autism Panel and the Environmental Renewable Panel. She also welcomed the process for the In-Year Budget Review and hoped that this would continue for the forthcoming Budget setting cycle. She also wished to thank the Overview & Scrutiny team for their work and support over the year.

- 12.2 Councillor G. Theobald welcomed the report and stated that the overview & scrutiny process had represented the previous Administration's desire to have an open and transparent decision-making system. However, he noted that the Chair of the Overview & Scrutiny Commission had been offered to the Labour & Co-Operative Group rather than the Conservative Group as the main opposition. He also questioned the ability of the Environment & Community Safety Overview & Scrutiny Committee to the three Cabinet Members whose portfolios were covering the Environment one that he previously held.
- 12.3 Councillor Randall welcomed the report and congratulated Councillor Mitchell on chairing of the Commission and stated that the Administration believed scrutiny had an important role to play in the development and review of policy.
- 12.4 Councillor Simson noted that the voluntary sector had welcomed the opportunity to be involved in the budget review and was pleased to see that the intention was to include as many interested parties as possible in the next round of budget setting.
- 12.5 Councillor West noted the comments and stated that the role of overview & scrutiny was highly valued and he hoped that future reviews would prove to be as effective and well received.
- 12.6 The Mayor noted that the report had been moved and asked that it be noted.
- 12.7 **RESOLVED:** That the annual report of the Overview & Scrutiny Commission be noted.

Motion to terminate the meeting:

- 12.8 In accordance with Procedural rule 17, the Mayor noted that the meeting had been in session for over four hours and she was therefore required to move a closure motion to effectively terminate the meeting.
- 12.9 The Mayor moved the closure motion and put the matter to the vote which was lost and therefore resulted in the continuation of the meeting.

13. ANNUAL REPORT OF THE AUDIT COMMITTEE 2010-11

- 13.1 **RESOLVED:** That the Annual Report of the Audit Committee 2010-11 be noted.

14. WITHDRAWAL OF THE CORE STRATEGY TO UPDATE AND AMEND

- 14.1 Councillor Kennedy introduced the report and expressed her thanks to the officers involved in preparing the report and the Core Strategy to date. She noted that there had been significant changes in the circumstances since the Core strategy was first prepared and the Planning Inspector had recommended that it be withdrawn from the examination process to allow it to be amended and updated in light of the changes. She also noted that various proposals in the Localism Bill directly impacted on the planning process and would need to be taken into account in an update Core Strategy document. It was intended to bring a report back to the Cabinet in October and then onto the Council meeting and she hoped that the proposed cross-party working group

would be able to develop ideas and feed into the report. In this respect, she could not accept the proposed joint amendment from the Conservative and Labour & Co-Operative Groups.

- 14.2 Councillor G. Theobald moved the joint amendment on behalf of the Conservative and Labour & Co-Operative Groups and stated that he felt it was inappropriate to have voting rights on a cross-party working group.
- 14.3 Councillor Mitchell formally seconded the amendment and stated that whilst it made sense to review the Core Strategy; it was not necessary to have voting on the cross-party working group. She welcomed the resurrection of the working group and felt that it would be able to put forward views which could be taken into account as the revised strategy was developed. She also noted that the Planning Inspector had raised concern over the council's over-reliance on windfall sites for development opportunities and hoped that the working group would take this into account.
- 14.4 Councillor C. Theobald suggested that the main reason for the withdrawal of the Core Strategy was the Localism Bill. She welcomed the proposed legislation in respect of the planning process and the ability for local people to determine how their local areas were affected from a planning perspective. She hoped that further details would be brought forward for Members in regard to how the system would operate and asked for a time table of events to be made available to all Members as soon as possible.
- 14.5 Councillor Randall stated that he welcomed the opportunity to take another look at the matter, especially as the new Administration held different objectives in regard to sustainability and neighbourhood decisions than the previous one.
- 14.6 Councillor Kennedy noted the comments and stated that she hoped the cross-party working group would prove to be worthwhile and questioned how the resources that would be required to meet the proposals in the Localism Bill would be found; given the Government's current stance and level of targets its was setting.
- 14.7 The Mayor noted that a joint amendment had been moved and put it to the vote which was carried.
- 14.8 The Mayor then put the recommendations from the Cabinet meeting as amended to the vote which were carried.
- 14.9 **RESOLVED:**
- (1) That the Secretary of State's direction to withdraw the submitted Brighton and Hove Core Strategy from the examination process be sought for the reasons set out in Part 3 of the report; and
 - (2) That the Cabinet be recommended to delete paragraph 4 of the Terms of reference of the Cross Party Working Group set out in Appendix 2 to the report.

15. NOTICES OF MOTION.**(a) Armed Forces Covenant for Brighton & Hove**

- 15.1 The Notice of Motion as detailed in the agenda was proposed by Councillor G. Theobald and seconded by Councillor A. Norman.
- 15.2 Councillor Farrow moved an amendment on behalf of the Labour & CO-Operative Group which was seconded by Councillor Turton.
- 15.3 The Mayor congratulated Councillor Farrow on his maiden speech.
- 15.4 The Mayor noted that the amendment moved by Councillor Farrow had not been accepted by Councillor Theobald and therefore put the proposed amendment to the vote which was lost.
- 15.5 The Mayor then put the following motion to the vote:

“This Council recognises the huge contribution made by the UK’s armed forces in protecting the basic and fundamental freedoms which we all take for granted. As a result of their duties they sacrifice civilian freedoms, face constant danger and sometimes suffer serious injury or even death. At the very least, they deserve our respect and support and should face no disadvantage compared to other citizens in the provision of services.

This Council warmly welcomes recent initiatives in Brighton & Hove which have sought to recognise the unique contribution of the armed forces such as the ‘Heroes Welcome’ campaign, Armed Forces Day celebrations, the Freedom Parade and the awarding of Freedom of the City to Henry Allingham and Flight Lieutenant Marc Heal.

However, this Council recognises that both nationally and locally, the Armed Forces community (including veterans, reservists and their families) face many unique social and economic problems and distinct challenges in accessing services provided by public authorities.

Therefore, this Council welcomes the recent commitment by the Government to enshrine the national Armed Forces Covenant into law. This will bring about tangible benefits to the Armed Forces Community including increasing council tax relief to 50%, a pupil premium for service children, a new veterans’ information service, a Veterans’ Card and a Troops to Teachers scheme.

This Council wishes to further show its moral and practical support to the local armed forces, veterans, reservists and their families by committing to sign a Community Covenant. The aims of the Community Covenant include:

- Encouraging local communities to support the Armed Forces in their areas and vice versa;
- Promoting understanding and awareness amongst the public of issues affecting the Armed Forces community;

- Recognising and remembering the sacrifices made by the Armed Forces community; and
- Encouraging activities which help to integrate the Armed Forces Community into local life.

Therefore, this Council requests that the Cabinet considers signing a Brighton & Hove Community Covenant and asks for a report to be brought to a future meeting on how such a Covenant could be implemented, with a view to launching the Covenant on Remembrance Day 2011; and such report should be drawn up in close consultation with the Armed Forces Community and their representative organisations in Brighton and Hove.”

15.6 **The motion was carried.**

(b) Returning to a Committee System in Brighton & Hove

(c) Return to the Committee System

- 15.7 The Mayor noted that the notices of motion listed as Items 15(b) and 15(c) on the agenda related to the same subject matter and she would therefore take both items and have one debate on the issue, before putting each to the vote separately.
- 15.8 The Notice of Motion as detailed in the agenda was proposed by Councillor Peltzer Dunn and seconded by Councillor Wealls.
- 15.9 The Mayor congratulated Councillor Wealls on his maiden speech.
- 15.10 Councillor J. Kitcat moved an amendment to Item 15(b) on behalf of the Green Group which was seconded by Councillor Follett.
- 15.11 Councillor Hawtree stated that he believed in the committee system but recognised that there was a need to improve and therefore time was required to review how it could work for the city council.
- 15.12 The Mayor congratulated Councillor Hawtree on his maiden speech.
- 15.13 The Mayor noted that the amendment moved by Councillor Kitcat had not been accepted by Councillor Peltzer Dunn and therefore put the proposed amendment to the vote which was lost.
- 15.14 The Mayor then put the following motion 15(b) to the vote:
- “This Council notes that Schedule 2 of the Localism Bill currently going through Parliament gives provision for local authorities to return to operating a committee system of governance should they wish to do so.

Prior to its implementation in 2008, all political groups on Brighton & Hove City Council were opposed to the Executive Leader and Cabinet system, and reaffirmed unanimously their desire to return to a committee system at Full Council on 15th July 2010.

This Council further notes that although, as it currently stands, new governance arrangements could only come into force immediately after the next election of the local authority – May 2015 in the case of Brighton & Hove – there is flexibility written into the Localism Bill. Clause 13 permits the Secretary of State to make an order setting out transitional arrangements and, in addition, s105 of the Local Government Act 2000 allows for secondary legislation specific to individual or groups of local authorities.

Therefore, this Council:

- Reaffirms its desire to return to a committee system of governance at the earliest possible opportunity;
- Asks the Chief Executive to write to:
 - (a) The Secretary of State for Communities and Local Government requesting the necessary amendments to the Bill and/or other measures, are so ordered to enable Brighton & Hove City Council to return to a committee system without delay and;
 - (b) The City's 3 MPs advising them of the Council's wishes and requesting that they add their support through appropriate lobbying of the Secretary of State for Communities and Local Government."

15.15 **The motion was carried.**

15.16 The Mayor then put the following motion 15(c) to the vote:

"On Thursday 15th July 2010 the previous Council agreed:

- (a) that it desired to return to the committee system of governance, provided there is significant local support from residents to do so following proper consultation;
- (b) for the Chief Executive of the Council to write to the Minister with responsibility for Communities and Local Government asking when the required legislation will be forthcoming and seeking clarification of the process to be followed.

Further to this agreement, the Localism Bill is due to become enacted later this year and according to advice from the Department of Communities & Local Government, it would be for councils opting to operate the committee system to decide how to discharge their functions, subject obviously to the requirement to have certain statutory committees and also subject to any regulations made by the Secretary of State specifying that certain functions (e.g. decisions on the council's budget) should be for full council.

This council therefore:

- a) reaffirms its desire to return to the committee system, as a model for running a more

effective, inclusive and responsive City Council and;

- b) wishes to put in place all necessary arrangements as soon as possible and apply to the Secretary of State for Communities and Local Government, as soon as the Localism Bill is enacted, to return to the committee system.”

15.17 **The motion was carried.**

Motion to terminate the meeting:

15.18 In accordance with Procedural rule 17, Councillor Fitch moved a closure motion to effectively terminate the meeting in view of the length and time of the meeting.

15.19 Councillor G. Theobald formally seconded the motion.

15.20 The Mayor therefore put the motion to the vote which was carried and noted that each of the remaining items would need to be taken and voted on or withdrawn by the mover before the meeting was concluded.

(d) Legal Aid Cuts

15.21 Councillor Mitchell confirmed that she wished the Notice of Motion as detailed in the agenda to be taken.

15.22 The Mayor then put the following motion to the vote:

“This Government proposes to cut £350 million to legal aid, as part of the Legal Aid, Sentencing and Punishment of Offenders Bill.

As a result, over half a million fewer people a year will receive support from the legal aid system.

This Council believes that these cuts to legal aid are short-sighted and counter-productive because many of the issues covered by legal aid will simply escalate, resulting in greater cost to the taxpayer further down the line. For example, according to cost-benefit analysis from the Citizens Advice Bureaux, for every one pound of legal aid expenditure on:

- Housing advice, the state potentially saves £2.34
- Debt advice, the state potentially saves £2.98
- Benefits advice, the state potentially saves £8.80
- Employment advice, the state potentially save £7.13

Furthermore, Law Centres help 120,000 people annually. Independent research has revealed that for every £1 spent by a Law Centre in the provision of legal service, at least £10 was generated in savings and social benefits.

Of these 120,000 people, with problems such as eviction, unfair dismissal, exclusion from school and domestic violence, it is estimated that 60,000 will no longer be helped,

if these proposals are brought into force. There is no alternative source of advice available or that is suitable.

This council believes that this Government's proposals remove vital support when people need it the most and that it is an irresponsible time to be leaving the most vulnerable in society without advice or legal support, when demands on advice services as a result of Government cuts are higher than ever.

This Council acknowledges that advice centre funding has been hit by cuts from all angles, from local authorities and central government grants from BIS, DCLG and now the Ministry of Justice. This has put at risk, on average, nearly 45% of the funding that advice centres receive.

This Council acknowledges the role of the local advice centres and is grateful of the hard work which helps so many vulnerable people in Brighton & Hove. These include Age Concern, Brighton Housing Trust, Citizens Advice Bureau, Community & Voluntary Sector Forum, Fitzhugh Gates Solicitors, MACS (Money Advice and Community Support), Mind, Rise Women's Refuge, The Bridge Community Education Centre and the Whitehawk Inn.

Approximately 20,000 residents receive one-to-one advice from voluntary sector agencies in this city, with the Brighton Housing Trust providing specialist casework support and representation to 3,000 people per year. Legal Aid accounts for around 90% of BHT funding for advice and around 25% of the Citizen's Advice Bureau.

This Council therefore deeply regrets that due to proposed cuts, the admirable work of our local advice centres may be unable to continue and therefore resolves to:

- (a) Express its support to Brighton & Hove's Justice for All campaign in asking Government to rethink their cuts to legal aid, and;
- (b) Requests the Chief Executive to write to the Secretary of State for Justice, Ken Clarke to express concern over these proposals."

15.23 The motion was carried.

(e) Legal Aid

15.24 Councillor MacCafferty confirmed that he wished the Notice of Motion as detailed in the agenda to be taken.

15.25 The Mayor then put the following motion to the vote:

"This council notes with deep concern the Coalition Government's plans to cut the national legal aid budget by £350 million depriving many Brighton & Hove residents from free legal advice. [1]

It is concerned that claimants – including vulnerable residents needing help in cases of medical negligence, divorce, employment and welfare – will no longer be entitled to

legal aid. These people will be denied justice, as their cases will go unheard without the support of a legal aid lawyer.

Furthermore, the council is concerned the cuts will devastate the inspiring work of the local Citizen's Advice Bureau and Brighton Housing Trust, among others. If Legal Aid Funding is withdrawn, Brighton and Hove Citizens Advice Bureau estimates it will no longer be able to help 220 local residents needing specialist welfare benefits advice and 381 needing specialist debt advice each year.

The work of the Brighton Housing Trust helps clients in more than 1,400 housing cases each year. The proposed legal aid cuts will mean 900 of those cases will go unsolved. Long-term problem solving will also be lost. The Legal Action Group estimates legal aid in East Sussex will be cut by 64% with a total loss of funding to legal aid providers of £407,266.40. [2]

This Council believes legal aid cuts in addition to the Coalition Government cuts to public services are a further blow to those communities in Brighton & Hove already enduring poverty and discrimination. Many older people, unemployed, families and the infirm will be left with little or no access to justice. The erosion of legal aid is likely to exclude even more people from enforcing their rights to fair treatment at work, decent housing and quality education and health.

This Council further believes cutting legal aid is a false economy and will bring additional costs to Brighton & Hove City Council as more hardship problems are relinquished by central Government. Indeed, in the opinion of the Law Society "The suggested cuts will cost the government and the tax payer more than they will save and will have a severe impact on society." [3]

Furthermore, in a period of economic depression, these cuts are likely to reduce social cohesion, increase criminality and silence the vulnerable.

This Council believes that fundamentally the legal aid cuts abandon the principle established by the *Magna Carta* of 1215 that everyone is equal in the eyes of the law.

This Council resolves to:

1. Express its support for the Sound off for Justice Campaign that has brought together the Law Society and non-government organisations as varied as the Women's Institute, Netmums and Shelter to campaign against the changes;
2. Ask the Cabinet to work with solicitors and barristers in the city with clients receiving legal aid to lobby the Government to reverse the cuts;
3. Ask the Cabinet to work with Citizens Advice Bureau, Brighton Housing Trust and other NGOs and to lobby Government to axe the cuts;
4. Ask the Cabinet to meet with the bodies affected by the cut in legal aid funding to examine what proposals can be drawn out to help them navigate the changes; and

5. Request the Chief Executive to write to the city's three MPs urging them to lobby for the withdrawal of the government proposals."

15.26 **The motion was carried.**

(f) Responsibilities Towards Travelling Communities

15.31 **The motion as amended was carried.**

Note: The item was taken together with Item 7(b) on the agenda and the decision relating to this is therefore listed in the minutes under Item 7(b).

16. CLOSE OF MEETING

16.1 The Mayor thanked Members and formally closed the meeting.

The meeting concluded at 10.25pm

Signed

Chair

Dated this

day of

Subject:	The Future of Saltdean Lido		
Date of Meeting:	20 October 2011		
Report of:	Monitoring Officer		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

For general release

Note: The subject matter of the petition is an executive function and therefore not one that Full Council can make a decision on.

PETITION TRIGGERING A FULL COUNCIL DEBATE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not a petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 A combined paper and e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 2,913 signatures.

2. RECOMMENDATIONS:

- 2.1 That the petition is referred to the Culture, Recreation & Tourism Cabinet Member Meeting for consideration.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:**3.1 The Petition**

"We the undersigned petition the council to Commence urgent proceedings and pro-active action against the current lease-holder of Saltdean Lido to maintain the building and comply fully with the terms and conditions of the lease this summer season. If there is failure of compliance of the aforementioned, we immediately expect the Council to revoke the lease with forfeiture for the current lease-holder."

Lead Petitioner – Ms. Rebecca Crook

- 3.2 As the subject matter of the petition relates to an executive function, the options open to the council are:

- To note the petition and take no action for reasons put forward in the debate;
or
- To refer the petition to the relevant Cabinet Member Meeting; or
- To refer the petition to the relevant Cabinet Member Meeting with recommendations.

4. PROCEDURE:

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:
- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
 - (ii) The Mayor will then call on the relevant Cabinet Member to respond to the petition and move a proposed response;
 - (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
 - (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
 - (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Cabinet Member to reply to the points raised;
 - (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and then
 - (b) The substantive recommendation(s) as amended (if amended).

Subject:	Blakers Park Road Safety		
Date of Meeting:	20 October 2011		
Report of:	Monitoring Officer		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

For general release

Note: The subject matter of the petition is an executive function and therefore not one that Full Council can make a decision on.

PETITION TRIGGERING A FULL COUNCIL DEBATE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not a petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 A combined paper and e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 1,880 signatures.

2. RECOMMENDATIONS:

- 2.1 That the petition is referred to the Environment, Transport and Sustainability Cabinet Member Meeting for consideration.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:**3.1 The Petition**

"We the undersigned petition the council to improve the safety of pedestrians and cyclists on the roads surrounding Blakers Park; to introduce traffic calming measures and to put the safety of people before the car. Clearly marked pedestrian or raised paving crossings at Preston Drove, Cleveland Road and Southdown Road, a blanket 20 mph limit extending to surrounding roads and the narrowing of Cleveland Road at the Southern (Stanford Ave) end are necessary to improve the safety of our park's visitors. Please sign if you wish to make your view known."

Lead Petitioner – Noelle O’Riordan Booth

- 3.2 As the subject matter of the petition relates to an executive function, the options open to the council are:

- To note the petition and take no action for reasons put forward in the debate;
or
- To refer the petition to the relevant Cabinet Member Meeting; or
- To refer the petition to the relevant Cabinet Member Meeting with recommendations.

4. PROCEDURE:

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:
- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
 - (ii) The Mayor will then call on the relevant Cabinet Member to respond to the petition and move a proposed response;
 - (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
 - (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
 - (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Cabinet Member to reply to the points raised;
 - (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and then
 - (b) The substantive recommendation(s) as amended (if amended).

Subject:	Stop the Ban on Pavement Parking in Elm Grove		
Date of Meeting:	20 October 2011		
Report of:	Monitoring Officer		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

For general release

Note: The subject matter of the petition is an executive function and therefore not one that Full Council can make a decision on.

PETITION TRIGGERING A FULL COUNCIL DEBATE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not a petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 A combined paper and e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 1,280 signatures.

2. RECOMMENDATIONS:

- 2.1 That the petition is referred to the Environment, Transport & Sustainability Cabinet Member Meeting for consideration.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:**3.1 The Petition**

"We the undersigned petition the council to postpone the ban on pavement parking on Elm Grove which has been introduced without local community consent. We wish to open a dialogue with councillors to find a lasting solution to parking issues on Elm Grove and in the surrounding area."

Lead Petitioner – Ms. Tanya Richardson

- 3.2 As the subject matter of the petition relates to an executive function, the options open to the council are:

- To note the petition and take no action for reasons put forward in the debate;
or

- To refer the petition to the relevant Cabinet Member Meeting; or
- To refer the petition to the relevant Cabinet Member Meeting with recommendations.

4. PROCEDURE:

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:
- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
 - (ii) The Mayor will then call on the relevant Cabinet Member to respond to the petition and move a proposed response;
 - (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
 - (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
 - (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Cabinet Member to reply to the points raised;
 - (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and then
 - (b) The substantive recommendation(s) as amended (if amended).

WRITTEN QUESTIONS FROM COUNCILLORS

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

(a) Councillor Pidgeon

“Following his commitment to Councillor Norman at the Cabinet meeting on 14th July to review the amount of council taxpayers’ money spent on employing trade union representatives, can the Cabinet Member for Finance and Central Services please update me on his progress?”

Reply from Councillor J Kitcat, Cabinet Member for Finance & Central Services.

(b) Councillor C. Theobald

“Can the Cabinet Member for Planning, Economic Development & Regeneration confirm whether any alternative match funding for the INTERREG IV A 2 Mers Seas Zeeen programme has yet been secured following her decision on 3rd August to withdraw from the Avanta Work Programme placement contract for 18-24 year old job seekers in the city?”

Reply from Councillor Kennedy, Cabinet Member for Planning, Employment, Economy & Regeneration.

(c) Councillor Peltzer Dunn

“Can the Chair of the Governance Committee please confirm what arrangements are being made by officers to carry out the Council’s desire, restated at its meeting on 21st July, to return to a Committee system at the ‘earliest possible opportunity’, bearing in mind that the Localism Bill is nearing the end of its passage through Parliament?”

Reply from Councillor Littman, Chair of the Governance Committee.

(d) Councillor G. Theobald

“The South Downs National Park Authority has been in existence now for 6 months, following a full shadow year. This Council unanimously supported its formation and residents were rightly very enthusiastic about its potential. Bearing in mind the first thing visitors to the Park see when entering along Dyke Road is the encampment at 19 Acres, does Cllr. West, as the Council’s representative on the Authority, agree that this is not the kind of use the Park was established for and will he please advise the Council what specific actions

have been taken so far by the Park Authority to give residents of the city confidence that it will achieve all that it was set up to do?”

Reply from Councillor West, Cabinet Member for Environment & Sustainability.

(e) Councillor Mears

“In relation to the proposed use of Black Rock as a temporary coach park, could the Cabinet Member for Transport & Public Realm please tell me:

- a) when the decision was taken formally to overturn the 22nd March Cabinet Member decision which granted permission for the coach park;
- b) why the initial cost estimate for the works increased from £100k to £200k and
- c) what is the £100k from Seaside Towns grant, that was allocated by the Cabinet Member, now being used for?”

Reply from Councillor Davey, Cabinet Member for Transport & Public Realm.

(f) Councillor Janio

“Over the past few years, the excellent provision of youth services provided by the Hangleton and Knoll Project, funded as part of the council Youth Service, has meant that the west of the city has seen a gradual reduction in youth Anti Social Behaviour. This has been confirmed by the police and academic studies. What steps is the Council taking to ensure that this local service and expertise are maintained through the new commissioning process?”

Reply from Councillor Shanks, Cabinet Member for Children & Young People.

(g) Councillor Pissaridou

“Would the Cabinet Member 1) explain what support is given to looked after children when allocating school places and 2) provide assurance that looked after children are placed in the most appropriate local schools possible.”

Reply from Councillor Shanks, Cabinet Member for Children & Young People.

(h) Councillor Pissaridou

“Will the Cabinet Member confirm how many people in total have been fined for dog fouling in Brighton & Hove over the past twelve months, and how many people were fined in each of the last twelve months?”

Reply from Councillor West, Cabinet Member for Environment & Sustainability

(i) Councillor Robins

“The annual report to council tenants and leaseholders 2011 claims that this administration will continue to overclad flats and insulate them, reducing residents’ fuel consumption by up to about 17%. I would be grateful if the Cabinet Member could explain:

- a) how this figure was calculated and
- b) whether the figure of 17% is a proportion the total amount of fuel consumption used, or a proportion of the amount of fuel used to specifically heat the property?

Does the Cabinet Member agree that the council’s contractor, Mears, should be carrying out their own satisfaction surveys on their own work?”

Reply from Councillor Wakefield, Cabinet Member for Housing.

(j) Councillor Farrow

“Can the Cabinet Member tell me how Brighton and Hove City Council currently tackles persistent rogue landlords and with what success?”

In light of Shelter’s Evict Rogue Landlords campaign, is this Administration:

- a) Prepared to address the issue of rogue landlords as a priority and
- b) Get tough with those landlords who believe they can get away with illegal and unethical behaviour?”

Reply from Councillor Wakefield, Cabinet Member for Housing.

(k) Councillor Marsh

“Will the administration commit to maintaining ‘Safe and Sorted’ children and young people’s services after April 2012?”

Reply from Councillor Shanks, Cabinet Member for Children & Young People.

(I) Councillor Marsh

“Would the Cabinet Member agree that many parents in the city do not want their children to attend a Faith School and that expecting them to do so simply in order to get a school place for their child is unfair and erodes their ability to express a meaningful preference of school?”

Reply from Councillor Shanks, Cabinet Member for Children & Young People.

ORAL QUESTIONS FROM COUNCILLORS

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Cabinet Members, Chairmen of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

- (a) **Councillor G. Theobald**
Subject matter – Council Tax.

Reply from Councillor Randall, Leader of the Council

- (b) **Councillor Mitchell**
Subject matter – Children’s Services.

Reply from Councillor Shanks, Cabinet Member for Children & Young People.

- (c) **Councillor Wealls**
Subject matter – Free Schools.

Reply from Councillor Shanks, Cabinet Member for Children & Young People

- (d) **Councillor Morgan**
Subject matter – Transport.

Reply from Councillor Davey, Cabinet Member for Transport & Public Realm.

- (e) **Councillor C. Theobald**
Subject matter – Pool Valley.

Reply from Councillor Davey, Cabinet Member for Transport & Public Realm.

(f) Councillor K. Norman
Subject matter – Travellers.

Reply from Councillor West, Cabinet Member for Environment & Sustainability.

(g) Councillor Mears
Subject matter –Care Leaver Consultation.

Reply from Councillor Wakefield, Cabinet Member for Housing.

**EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE
MEETING HELD ON THE 20 SEPTEMBER 2011****GOVERNANCE COMMITTEE****4.00PM 20 SEPTEMBER 2011****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Littman (Chair), A Norman (Deputy Chair), J Kitcat, Morgan, Powell, G Theobald, Hamilton, Mears, Summers and Sykes.

25. REVIEW OF MEMBERS' ALLOWANCES

- 25.1 The Committee considered a report of the Independent Remuneration Panel (IRP) concerning the outcome of a review of the Members' Allowances Scheme.
- 25.2 The Chair welcomed Simon Keane, Chair of the IRP, to the meeting and reported that he had met Mr Keane to learn about the Panel's remit and work programme. He thanked the IRP for their thorough review and noted that a number of councillors had made written and verbal representations.
- 25.3 Mr Keane thanked Members for attending IRP meetings and making representations. He advised that the report was very detailed and that the Panel was comfortable with how the proposed scheme compared to other local authorities (LAs). He highlighted the main recommendations and reported that the scheme would result in savings of over £20,000. He thanked the Democratic Services Manager, Mrs Angela Woodall, for her support to the Panel over many years and wished her well as she prepared to leave the council.
- 25.4 Councillor Morgan thanked the IRP and officers and stated that the Labour Group comments on the report at Full Council on 20 October. He noted the forthcoming review of Overview & Scrutiny arrangements and possibility of returning to a committee model of governance and advised that SRA's for deputy chairs of committees may need to be reconsidered in the future.
- 25.5 Mr Keane advised that reviews were conducted regularly, and that, while it was hoped that the current report would last some time, Members views were also welcomed. He explained that the guidelines provided that no more than 50% of Members should receive an SRA, and that to include the deputy chairs

of other committees would exceed that level.

- 25.6 Councillor J Kitcat welcomed the report and thanked the IRP. In particular he noted that the changes would make it easier to claim for childcare costs and added that he hoped the issue of allowing councillors to claim childcare vouchers would be resolved by the Government.
- 25.7 Councillor A Norman thanked the IRP and Mrs Woodall and advised that the Conservative Group would reserve their comments for the debate at full Council.
- 25.8 In response to a question from Councillor Sykes regarding the level of SRA's for the deputy chairs of the Planning and Licensing Committees, Mr Keane explained that the Panel had recognised the heavy workload of the committees and were satisfied with the SRA's being higher than in other LAs.
- 25.9 Councillor Powell thanked the IRP for their ongoing work and highlighted the difficulties of juggling elected Member responsibilities with other commitments.
- 25.10 **RESOLVED –**

- (1) That the Committee recommends to Council:
 - (a) That the Special Responsibility Allowances for the Leaders' positions be payable as outlined in paragraphs 3.1 – 3.8 and Appendix 1 to this report.
 - (b) That the Special Responsibility Allowances for the Deputy Chairs of Planning and Licensing Committees be payable as outlined in paragraphs 3.9 – 3.15 and Appendix 2 to this report.
 - (c) That the Dependants' Carers' Allowance be payable as outlined in paragraphs 3.16 – 3.32 and Appendices 3 and 4 (childcare), and 3.33 – 3.37 and Appendix 5 (dependant care).
 - (d) That the 26 Special Responsibility Allowances set out at Appendix 6 to this report be approved as the full list of duties which constitutes Schedule 1 to the new Members' Allowances Scheme.
- (2) That it be noted the Basic Allowance of £11,463 has been retained and that all other allowances listed in the Scheme, other than those detailed in 2.1 – 2.4 above remain unchanged.
- (3) That the Members' Allowances Scheme 2011 set out at Appendix 7 be recommended to full Council for approval on 20th October 2011 with a proposal that the new scheme should take effect from 21st October 2011.

Subject:	Review of Members' Allowances	
Date of Meeting:	20 September 20 October	Governance Committee Council
Report of:	Independent Remuneration Panel	
Contact Officer:	Name: Angela Woodall	Tel: 29-1354
	Email: angela.woodall@brighton-hove.gov.uk	
Ward(s) affected:	All	

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Full Council at its meeting on 26 May 2011 retained and adopted the current Members' Allowances Scheme and asked the Independent Remuneration Panel to undertake a short focused review, reporting again later in 2011.
- 1.2 The Panel has been asked to consider:
 - (a) Methodology and levels of the Leaders' Allowances
 - (b) Special Responsibility Allowances for Deputy Chairs
 - (c) Dependants' Carers' Allowance (childcare)
 - (d) Dependants' Carers' Allowance (other dependants)

2. RECOMMENDATIONS:

- 2.1 That the Special Responsibility Allowances for the Leaders' positions be payable as outlined in paragraphs 3.1 – 3.8 and Appendix 1 to this report.
- 2.2 That the Special Responsibility Allowances for the Deputy Chairs of Planning and Licensing Committees be payable as outlined in paragraphs 3.9 – 3.15 and Appendix 2 to this report.
- 2.3 That the Dependants' Carers' Allowance be payable as outlined in paragraphs 3.16 – 3.32 and Appendices 3 and 4 (childcare), and 3.33 – 3.37 and Appendix 5 (dependant care).
- 2.4 That the 26 Special Responsibility Allowances set out at Appendix 6 to this report be approved as the full list of duties which constitutes Schedule 1 to the new Members' Allowances Scheme.
- 2.5 That it be noted the Basic Allowance of £11,463 has been retained and that all other allowances listed in the Scheme, other than those detailed in 2.1 – 2.4 above remain unchanged.
- 2.6 That the Members' Allowances Scheme 2011 set out at Appendix 7 be recommended to full Council for approval on 20th October 2011 with a proposal that the new scheme should take effect from 21st October 2011.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Leaders' Allowances:

- 3.1 In our last report we proposed a radical change to the way in which the Leaders' Allowances were calculated. Although the Leader of the Council's Allowance was still to be used as a basis for setting the other Special Responsibility Allowances in the Scheme, we suggested introducing a new rationale in which Opposition Group Leaders' allowances were to be set at levels which reflected the number of councillors in their groups, as well as their "liaison" roles. It was our intention that these allowances should reflect the dual-aspect of these positions. However, Council did not approve this recommendation at its meeting on 26 May 2011 and they asked us to look into the matter again.
- 3.2 With this in mind, we have worked with Leaders and Deputies from each of the political groups to find a solution which we feel will work well and which provides a fair and equitable allowance for the positions held. On reflection we feel that the formula we suggested earlier may not necessarily have resulted in an allowance that demonstrated the true level of responsibility undertaken in these positions, nor the amount of work undertaken by each of the post-holders. We are keen to address this issue and to recommend an appropriate methodology for these important functions.
- 3.3 Having considered the matter in some detail, we wish to retain the formula identified by the Institute of Local Government Studies at the University of Birmingham (INLOGOV) which has been approved and used at Brighton and Hove since 2003. This takes into account the number of additional hours worked by the Leader of the Council each week, the hourly rate of pay for corporate managers in the south-east and incorporates a public service discount.
- 3.4 In some of our past reviews salary/wage inflation has also been added as a way of keeping the allowances at a realistic level and in line with other comparable authorities. The INLOGOV methodology has been recognised by other local councils across England.
- 3.5 Having looked at all this information and the levels of allowances paid for the same position in other authorities (Appendix 1), we feel that the Leader of the Council's allowance is set at an appropriate level and we wish to recommend the retention of the Leader's allowance at £28,758 pa.
- 3.6 If the council approves the Panel's recommendation to retain this formula for calculating the allowance for the Leader of the Council, we remain of the view that the role of the Minority Group Leader should receive greater recognition. At the close of the 2008/10 review we expressed our concern about this issue and sought a suitable solution. With the retention of this methodology, we propose that the Minority Group Leader's allowance should be increased to 25% of the Leader of the Council's allowance, bringing it in line with the allowance paid to the Deputy Leaders of the Opposition, at £7,188 pa.
- 3.7 We feel that the allowances paid to the Leader of the Opposition and the Deputy Leaders of the Opposition should remain unchanged at the current time.

3.8 Over the summer we have studied regional employment statistics from the Office of National Statistics (ONS) as we wish to recommend earnings figures which have been based on latest trends and we have looked again at the level of public service discount applied (PSD). Each of these components makes up a part of the INLOGOV formula and it continues to be a statutory requirement for local authorities to recognise the concept of public service by applying a discount to their allowances.

Deputy Chairs:

3.9 As part of our last review the Panel considered the roles of each of the Deputy Chairs of Regulatory and Overview & Scrutiny Committees and their specific duties and responsibilities. At that time, we met with the majority of the Deputy Chairs and also made comparisons with the same positions in other local authorities in order to gather the widest possible evidence. Having looked at the matter in detail, we were of the view that there was insufficient data to support the payment of a Special Responsibility Allowance for any of these roles, and we made our recommendation to that effect.

3.10 Councillors from different Groups made it clear at full Council on 26 May they felt that the Deputy Chairs fulfilled a number of additional duties as well as chairing meetings in the absence of the Chairman. These positions were also seen by some as functions which could usefully be used by the political groups for training and development purposes. In the light of these comments, the Panel was asked to reconsider its recommendation.

3.11 In June this year we invited councillors to meet informally with us and to talk about their roles and responsibilities. Whilst Deputy Chairs' positions continue to be viewed by some as mentoring and supporting roles, the Panel remains of the opinion that mentoring, training and development are not valid reasons for the payment of a Special Responsibility Allowance.

3.12 The Panel is always keen to ensure that its recommendations are sound, that these are in line with other authorities and that they can be justified in the face of public scrutiny. We have not received evidence to demonstrate significant responsibilities for some of these roles.

3.13 In order to expand on what we have learnt, we have sought role descriptions for individual Deputy Chair's positions from other local authorities and we have used these to tease out anything we might have missed. We have also looked to a number of different authorities to see if there is significant evidence of other councils paying allowances for these positions. We have learnt that 55% of all the authorities which completed the South-East Employers (SEE) survey in 2010/11 pay an allowance to the Deputy Chair of Planning and 44% do so for Licensing Committee. A sample from the full SEE survey is shown at Appendix 2.

3.14 With regard to these two committees, we are of the opinion that Special Responsibility Allowances should continue to be paid to these Deputy Chairs. We feel there should be proper recompense for the work they do, recognising their heavier remit and the complexities they face in carrying out their duties.

- 3.15 However, there is a lack of evidence of significant duties for the Deputy Chairs of the Overview & Scrutiny Committees and the Governance and Audit Committees and we have struggled to find anything tangible for which an additional allowance should be paid. In view of this position we are not recommending a Special Responsibility Allowance for these posts at the current time but we will reconsider the responsibilities of the new post-holders at a future review and therefore the matter will remain open to discussion and debate.

Dependants' Carers' Allowance (childcare):

- 3.16 Councillors have made it known to us that they felt the childcare element of the Members' Allowances Scheme did not work well for them. They felt it was inflexible and outdated. Despite having carried out extensive work throughout our 2008/10 review, they expressed the opinion that it did not provide the robust support necessary to enable councillors with young children to carry out their duties without detriment or discrimination. They asked the Panel to look for ways in which it could be improved. In addition, newer councillors raised concerns over the provision of maternity/paternity pay and maternity/paternity leave for councillors and sought clarification. They were referred to paragraph 3.6.2(d) of our report to Governance Committee dated 1 February 2011 which set out the advice we have received on these matters.
- 3.17 Tasked with looking at these issues again, the Panel invited individual councillors with parental responsibilities, as well as those with a wider interest in the matter, to meet informally with them. Since the Spring, seven of them have done so. In addition to those meetings, six councillors met with officers from the council's Family Information Service to learn more about the At Home Childcare Scheme and other forms of childcare available to them across the city. The Chair of the Panel also met with these officers so that he too had an understanding of what the issues were, the availability of different services and the likely costs of care provision.
- 3.18 From our discussions with individual councillors, we are aware that councillors' childcare needs differ depending largely on their personal circumstances, the number and ages of their children and the meetings they attend. We recognise too that over a period of time their circumstances will change and so will their childcare requirements. Whilst there is no such thing as "one size fits all", the scheme should embrace as many of these matters as possible and be effective for use by those with children of all ages.
- 3.19 We have spent some time looking into the difficulties faced by councillors wishing to make childcare claims and we have sought advice from HM Revenue & Customs (HMRC), the Department for Communities and Local Government (DCLG), SEE, SW Councils (SEE equivalent in the south-west) and national experts in order to pull together a childcare scheme that is open and transparent but which offers greater flexibility to its claimants. National childcare vouchers (also known as salary sacrifice) are one such matter but it has been agreed by everyone consulted that no form of salary sacrifice can be applied to councillors whether it be for childcare, cycle2work schemes or any other benefit.

- 3.20 The Panel is aware that the penalties HMRC may levy for non-compliance are the tax and national insurance that should have been collected plus penalties of up to £3,000 for each error or omission. In effect this could render both the council and councillor/s liable to financial penalty.
- 3.21 We are able to report that officers have written to HMRC outlining the difficulties councillors face and asking them to reconsider the matter. That response is still awaited, but the Panel intends to report to Council again should the position change at any point in the future. We suggest also that the council adds weight to the matter by requesting a meeting with the appropriate Government office emphasising the support that is necessary to enable them to carry out their various roles. In the meantime we wish to place on record our support for the Councillors' Commission in its 2007 report which stated that "councillors should be offered access to the national childcare salary sacrifice scheme".
- 3.22 We remain of the view that the council should continue with a claims-based scheme because this is open, transparent and accountable and claims can be submitted for the approved duties laid down in Schedule 2 to the Members' Allowances Scheme. It is also in line with the majority of other local authorities that operate childcare schemes in England. However, we have recognised a need for greater flexibility in the way the scheme works currently, its accessibility and application, as we have worked to find suitable solutions. The Panel's proposals are set out in paragraph 2.3 of this report, in more detail below and at Appendices 3 and 4.
- 3.23 We are pleased to recommend some positive changes to the childcare arrangements, although it is for the council to decide whether it wishes to explore other avenues which could help support councillors with caring responsibilities. We feel there are several ways these could be achieved such as adopting a flexible approach to meeting times and reconsidering the venues used. However, as these matters are outside our remit, we leave those decisions to the council and make our own recommendations in line with current legislation and by having regard to good practice.
- 3.24 In a move towards greater flexibility and in line with our 2008/10 report, we recommend that when councillors attend approved duties, they be reimbursed for their childcare costs up to the maximum rate/s set out in the Scheme. We recognise that this may make it administratively easier for councillors and that it could go some way towards breaking down the barriers they currently face. However, by making this change councillors will face a disincentive as tax and national insurance will be deducted by the council at source.
- 3.25 Councillors will need to decide for themselves whether they wish to retain that part of the current scheme in which the carer they employ is paid retrospectively for the childcare provision, or whether they consider they have greater flexibility by directly claiming and receiving reimbursement themselves. Councillors should also decide whether the greater flexibility of receiving the payment direct outweighs any financial disadvantage.
- 3.26 In our 2008/10 report we also recommended that childcare be reimbursed at an hourly rate of £7.00 per hour, an increase from the national minimum wage. As part of the latest review we have consulted other local authorities, particularly

those from the south-east. We have had regard to the cost of childcare provision within the city and we understand that £7.00 per hour remains an average figure for childcare in Brighton and Hove. We recommend therefore that actual childcare costs be reimbursed up to a maximum of £7.00 per hour for a single child.

- 3.27 Where two or more children are being cared for, we recognise that additional costs may be incurred and we would like to go some way towards meeting that additional burden. We recommend a total supplement of up to £2.00 per hour be applied in respect of all children where additional costs have been incurred and can be proven. This will result in a total maximum hourly rate of £9.00.
- 3.28 Being mindful of the difficult financial climate facing all local authorities at the current time, yet balancing that with the need to encourage councillors to stand for election from all walks of life, we have considered the annual cap which is currently set at £1,200 pa per councillor and we have decided to leave it unchanged. We feel it would give the wrong impression if we were to recommend raising the overall platform, preferring instead to provide greater flexibility within the scheme itself. We continue to recommend setting the cap for childcare at £1,200 pa per councillor.
- 3.29 To be sure that this is a fair approach, we have calculated that a Cabinet Member will use approximately 50% of their annual childcare allowance for attending Cabinet Meetings and full Council. The balance is available for attendance at ad hoc approved duties undertaken either in their position of additional responsibility, or as part of their wider councillor remit.
- 3.30 Whilst we are not recommending the use of registered childcare be compulsory as we feel that should be a matter for personal choice, we note that Working Tax Credit may be claimable where Ofsted registered childcare is used.
- 3.31 The Panel feels that the minimum age for any carer should be 18 years and that restriction on councillors' family and other household members should continue to apply as a matter of good practice and in line with other local authority schemes such as Bracknell Forest and Southampton City Council.
- 3.32 Throughout this part of our review we have consulted Family Information Service officers who have acted as a check and balance on our proposals. Bearing in mind their comments, we are proposing raising the age for cared-for children to the Saturday following the 1 September after their 15th birthday. This is in line with the Government's eligibility requirements for the childcare element of Working Tax Credit.

Care of Dependants:

- 3.33 Historically, the Panel has refrained from recommending alterations to this part of the scheme as there have been no claims made from it, nor any expressions of interest in doing so. We have preferred to recognise that should they be necessary, changes will be introduced as and when they are required and needs can be more accurately quantified. Instead, we recommended a basic package only.

- 3.34 Since the new council formed in May this year, the council has considered the needs of its new and ongoing councillors and asked us to look again at the allowances paid for dependent care for adults and children with additional needs and to report back to them in the autumn. We understand there are a small number of councillors with responsibility for adult dependent relatives and we feel that this is an appropriate time to review and update the scheme if necessary.
- 3.35 The Panel invited councillors to come forward to talk about their individual needs, responsibilities and concerns, or alternatively to let them know of anything they felt relevant to the care package that was available to them as councillors.
- 3.36 It is apparent from our meetings and the discussions that have taken place throughout our review that everyone's situation is different, caring needs vary and state benefits apply in some if not all instances. We recognise also that there may be many sensitivities to consider, and in the current climate we believe there are additional or alternative ways in which the council can provide practical support to its councillors who have caring responsibilities. This may not necessarily be in the form of financial recompense. We suggest that adopting a "care for the carer" approach might be a useful mechanism which the council and councillor colleagues can introduce to support one another. As this is an area outside our remit, we leave the council to decide whether this is an acceptable option and how this should be implemented.
- 3.37 We recommend retaining the care package at current rates - £7.50 per hour, capped at £1,200.00 pa – and to bring this in line with the administration of childcare allowances. We consider that councillors should be reimbursed for their caring costs, rather than the care providers although we leave councillors to make the final choice. In the same way also, a tax disincentive will apply, however we feel that the flexibility this offers outweighs any financial disadvantage. A summary of this element of the Scheme is set out at Appendix 5.

The proposed Members' Allowances Scheme

- 3.38 For ease of reference, we have set out the Special Responsibility Allowances we are recommending at Appendix 6, together with the financial implications of our proposals and the savings that are likely to result. Whilst not strictly within our remit, we remain mindful that the council has set the Members' Allowances budget at £1,059,610 for 2011/12 and we consider that any recommendations we make as an independent panel should be sound, and that they should remain within this budget.
- 3.39 Taking into account the elements of the Scheme detailed in section 3.1 – 3.37 above, the proposed new Members' Allowances Scheme is set out in full at Appendix 7 to this report.
- 3.40 The proposed new Scheme has a total of 26 Special Responsibility Allowances in line with Members' Allowances guidance which stipulates that the number of SRA's should not exceed 50% of the number of councillors on the authority.
- 3.41 We propose that these recommendations be implemented from 21 October 2011, the day after the full Council meeting, which is in line with previous changes to the Members' Allowances Scheme.

3.42 Having undertaken this review we expect the Members' Allowances Scheme to continue until 2015 subject to any future changes which may result from the Localism Bill when its outcome is known in the autumn of 2012.

4. CONSULTATION

4.1 As part of this latest review the Panel has met with the Leaders, councillors and consulted regional organisations, government offices and other public bodies as well as experts in the field of Members' Allowances. We have also spoken with the council's own officers on matters such as childcare. In particular we have consulted HMRC and the DCLG.

4.2 Statistics have been obtained from the Office for National Statistics (ONS) and comparisons have been made with a number of other local authorities across the region.

4.3 The recommendations of the Independent Remuneration Panel are being reported to the Governance Committee where all party groups are represented, before being submitted to full Council on 20 October 2011.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The Members' Allowances revenue budget for 2011/12 is £1,059,610.

5.2 The recommendations of the Independent Remuneration Panel can be accommodated within the existing budget and the financial implications and scheme details are set out in Appendix 6 and 7 of the report respectively.

Finance Officer Consulted: Mike Bentley Date: 07/09/11

Legal Implications:

5.3 The proposals in this report comply with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003 and associated guidance.

Lawyer Consulted: Elizabeth Culbert Date: 07/09/11

Equalities Implications:

5.4 The recommendations explicitly seek to encourage a wider cross-section of the community to become councillors and to continue in office by breaking down the barriers and financial disincentives which deter people from serving as elected members.

Sustainability Implications:

5.5 None arising directly from this report.

Crime & Disorder Implications:

5.6 None arising directly from this report.

Risk and Opportunity Management Implications:

5.7 None arising directly from this report.

Corporate / Citywide Implications:

5.8 None arising directly from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Leaders' Allowances
2. Deputy Chairs of Planning and Licensing
3. Childcare costs
4. Dependants' Carers' Allowance (childcare)
5. Dependants' Carers' Allowance (dependants)
6. Proposed Special Responsibility Allowances
7. Proposed Members' Allowances Scheme 2011

Documents in Members' Rooms

None

Background Documents

1. The Local Authorities (Members' Allowances) Regulations 2003
2. Councillors' Tax and Benefits 2009 (Local Government Information Unit)
3. The Report of the Councillors' Commission, December 2007
4. South-East Employers' Survey of Members' Allowances 2010/11
5. Office for National Statistic earnings tables
6. Evidence provided by the Daycare Trust of childcare costs nationally, regionally and locally
7. Your childcare options (Family Information Service)

Sample from the South East Employers
Members' Allowances Survey 2010-11:
Allowances paid to the Leader of the Council
(in descending order)

Local Authority in the SEE area	Leader of the Council	
Kent County Council	44,300.00	Highest CC
West Sussex County Council	30,744.00	
Milton Keynes Council	29,332.00	Highest UA
Hampshire County Council	28,967.00	
Bracknell Forest Council	28,954.00	
Brighton & Hove City Council	28,758.00	B&H
Surrey County Council	27,000.00	
Medway Council	26,507.36	
Oxfordshire County Council	24,884.64	
East Sussex County Council	24,087.00	
Isle of Wight Council	23,709.00	
Southampton City Council	22,318.00	
Mid Sussex District Council	21,680.00	Highest DC
Wokingham Borough Council	20,000.00	
Royal Borough of Windsor and Maidenhead	18,596.00	
Slough Borough Council	18,460.00	
Portsmouth City Council	18,360.00	
West Berkshire Council	16,396.05	
Rother District Council	12,376.00	
Wealden District Council	12,330.00	
Worthing Borough Council	7,467.00	
Reading Borough Council	7,004.00	
Adur District Council	4,905.00	
Eastbourne Borough Council	3,840.00	

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Sample from the South-East Employers
Members' Allowances Survey 2010-11:
Allowances paid to the Deputy Chairs
of Planning and Licensing

Local Authority in the SEE area	Deputy Chair Planning Committee	Deputy Chair Licensing Committee
Kent County Council	0	n/a
West Sussex County Council	0	n/a
Milton Keynes Council	0	0
Hampshire County Council	2901	n/a
Bracknell Forest Council	1276	638
Brighton & Hove City Council	7188	2156
Surrey County Council	3000	n/a
Medway Council	3787	0
Oxfordshire County Council	1352	n/a
East Sussex County Council	0	n/a
Isle of Wight Council	1580	0
Southampton City Council	0	0
Mid Sussex District Council	1579	343
Wokingham Borough Council	0	0
Royal Borough of Windsor and Maidenhead	0	0
Slough Borough Council	1538	1231
Portsmouth City Council	0	0
West Berkshire Council	0	0
Rother District Council	0	0
Wealden District Council	1285	0
Worthing Borough Council	1653	747
Reading Borough Council	1074	1074
Adur District Council	818	818
Eastbourne Borough Council	1278	0

Note: n/a indicates that licensing matters are not dealt with by the county councils

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**Average hourly national, regional and local childcare costs in 2010
as published by the Daycare Trust**

Nurseries					
England		South-East		Brighton and Hove	
	£		£		£
Under 2	3.88	Under 2	4.64	Under 2	4.37
2 and over	3.76	2 and over	4.56	2 and over	4.01

Childminding					
England		South-East		Brighton and Hove	
	£		£		£
Under 2	3.60	Under 2	3.84	Under 2	<i>No data</i>
2 and over	3.52	2 and over	3.84	2 and over	4.40

At Home Childcare	
Brighton and Hove	
	£
Average	7.21

The Daycare Trust is a registered charity and this information has been sourced by the council's Family Information Service.

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Dependants' Carers Allowance (Childcare)

- Childcare may be claimed for all approved duties identified in Schedule 2 to the Members' Allowances Scheme (Appendix 7)
- Payments will be made retrospectively to either care provider or councillor, providing they are supported by the appropriate claim form and receipts.
- Payments to carers will be made by BACS and processed on the first available appropriate payroll run.
- Reimbursements to councillors will be made by BACS together with the usual monthly Members' Allowances payments.
- Payments will be no more than the actual amount paid for childcare provision up to a maximum hourly rate of £7.00 per hour for a single child or up to a total of £9.00 per hour for two or more children.
- This claims-based scheme is subject to tax and national insurance deductions at personal rates (the liability falling to whomever receives the payment).
- Up to one hour travelling time may be added to the claim (where applicable) to enable the councillor to travel to/ from meetings, provided the child/children remain with the carer for the duration.
- Ofsted registered childcare is not compulsory but Working Tax Credit may be claimable where registered care is used.
- The council's At Home Childcare Scheme may provide a flexible solution to childcare provision. (Full details are available from the council's Family Information Service.)
- Childcare costs may be claimed for children until the Saturday following the 1 September after their 15th birthday.
- The minimum age for any carer should be 18 years.
- The restriction on councillors' family and other household members continues to apply as a matter of good practice.
- The annual cap for childcare is set at £1,200 pa per councillor.

NOTE:

1. Revenue & Customs (HMRC) advise that councillors are not eligible for salary sacrifice schemes such as national childcare vouchers.
2. Maternity/paternity entitlements generally apply to paid employees and they are not the responsibility of the city council, we feel councillors should provide appropriate support for one another in their councillor role.
3. The annual cap for childcare has been set at £1,200 pa per councillor.
As an example, a Cabinet Member will use approximately 50% of their annual childcare allowance for attending Cabinet Meetings and full Council. The balance is available for attendance at ad hoc approved duties.

Dependants' Carers Allowance (Dependants)

- Any Brighton & Hove city councillor with a dependant, who has incurred expenses for the care of that dependant whilst carrying out their approved duties, is eligible to claim the Dependants' Carers Allowance.
- This allowance may be claimed for any of the approved duties identified in Schedule 2 to the Members' Allowances Scheme (Appendix 7).
- It applies to care for dependants on social or medical grounds, be they elderly parents, disabled children etc who live in the same house and who are dependant on the councillor.
- Payments will be made retrospectively to either care provider or councillor, providing they are supported by the appropriate claim form and receipts.
- Payments to carers will be made by BACS and processed on the first available appropriate payroll run.
- Reimbursements to councillors will be made by BACS together with the usual monthly Members' Allowances payments.
- Payments will be no more than the actual amount paid for Dependant care provision up to a maximum hourly rate of £7.50 per hour.
- This claims-based scheme is subject to tax and national insurance deductions at personal rates (the liability falling to whoever receives the payment).
- Up to one hour travelling time may be added to the claim (where applicable) to enable the councillor to travel to/ from meetings, provided the Dependant remains with the carer for the duration.
- The annual cap for Dependant care is set at £1,200 pa per councillor.

Special Responsibility Allowances in the proposed Scheme

	Position	% of Leader's Allowance	SRA £	Full Cost £
1	Leader of the Council	100%	28,758	28,758
2-3	Deputy Leader of the Council	60%	17,254	34,508
4-10	Cabinet Member with portfolio	38%	10,927	76,489
	Chairmen of Regulatory Committees			
11	Planning	38%	10,927	10,927
12	Licensing (dual role)	30%	8,626	8,626
13	Governance	30%	8,626	8,626
14	Audit	30%	8,626	8,626
	Chairmen of Overview & Scrutiny Committees			
15*	Overview & Scrutiny Commission	25%	7,188	7,188
16	Adult Social Care & Housing OSC	25%	7,188	7,188
17	Children & Young People OSC	25%	7,188	7,188
18	Culture, Tourism & Enterprise OSC	25%	7,188	7,188
19	Environment & Community Safety OSC	25%	7,188	7,188
20	Health OSC	25%	7,188	7,188
	Deputy Chairmen of Regulatory Committees			
21	Planning	25%	7,188	7,188
22	Licensing (dual role)	7.5%	2,156	2,156
	Other positions of additional responsibility			
23	Leader of the Opposition	48%	13,803	13,803
24-25	Deputy Leader of the Opposition Group	25%	7,188	14,376
26*	Convener/Leader of Minority Groups (minimum of 10% of the seats on the council)	25%	7,188	7,188 (proposed increase)
	Cost of 26 Special Responsibility Allowances proposed			£264,399
	Less unpaid allowance due to double-up*			7,188
	Total full year cost of proposed SRAs			<u>£257,211</u>

Possible Savings	% of Leader's Allowance	SRA £	Full Cost £
Deputy Chairs of Regulatory Committees			
Governance	7.5%	2,156	2,156
Audit	7.5%	2,156	2,156
Deputy Chairs of Overview & Scrutiny Committees			
Overview & Scrutiny Commission	7.5%	2,156	2,156
Adult Social Care & Housing OSC	7.5%	2,156	2,156
Children & Young People OSC	7.5%	2,156	2,156
Culture, Tourism & Enterprise OSC	7.5%	2,156	2,156
Environment & Community Safety OSC	7.5%	2,156	2,156
Health OSC	7.5%	2,156	2,156
Representative on the Arts Commission	7.5%	2,156	2,156
Savings from the proposed Scheme			£19,404
Plus unpaid allowance due to double-up*			7,188
Total full year savings			£26,592
NOTE:			£1,059,610
The Members' Allowances budget for 2011/12 =			£304,219

If the council chooses to retain all 36 SRAs in the current Members' Allowances Scheme and make no amendment to them, the full cost of these allowances will be

Based on the 32 SRAs currently paid in the Scheme, the cost of these allowances is

£287,397

NB

The full Scheme also includes the Basic Allowance (£11,463 pa per councillor) and other allowances. All allowances and expenses are met from the budget of £1,059,610.

Sep-11

BRIGHTON & HOVE CITY COUNCIL

MEMBERS' ALLOWANCES SCHEME

The Brighton & Hove City Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 2003, hereby makes the following Scheme:

1. This Scheme may be cited as the Brighton & Hove City Council Members' Allowances Scheme 2011 and shall have effect on and from 21 October 2011 unless stated otherwise.
2. In this Scheme,
 - “the council” means Brighton & Hove City Council;
 - “councillor” means a Member of the Brighton & Hove City Council who is a councillor;
 - “co-opted member” means a member of a committee or sub-committee of the council who is not a member of the authority;
 - “total estimated allowances” means the aggregate of the amounts estimated by the Responsible Finance Officer, at a time when a payment of Basic Allowance or Special Responsibility Allowance is made, to be payable under this Scheme in relation to the relevant year, and for this purpose any election under paragraph 11 shall be disregarded;
 - “year” means the 12 months ending with 31 March.
3. **Basic Allowance**
 - 3.1 Subject to paragraphs 10 and 11, for each year a Basic Allowance of £11,463 shall be paid to each councillor.
4. **Special Responsibility Allowances**
 - 4.1 For each year a Special Responsibility Allowance shall be paid to those councillors who hold the special responsibilities in relation to the council that are specified in Schedule 1 to this Scheme. These payments came into effect on and from 21 October 2011.
 - 4.2 Where a councillor holds more than one position of responsibility, only one Special Responsibility Allowance shall be paid, such an allowance being the higher or highest of the relevant allowances.
 - 4.3 Subject to paragraph 11 and 12, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

5. Attendance Allowance

5.1 No Attendance Allowance shall be payable.

6. Travel, Subsistence and Dependants' Carers Allowances

6.1 Travel, Subsistence and Dependants' Carers' Allowances shall be paid to councillors and co-opted members in accordance with Schedule 2 to the Scheme.

7. Pensions

7.1 All eligible members of the Council may elect to join the Local Government Pension Scheme (LGPS) with effect from the first day of the month following the Council's receipt of the pensions option form.

7.2 Where members elect to join the Scheme, both the Basic Allowance and any Special Responsibility Allowance to which they may be entitled or may become entitled, shall be treated as amounts in respect of which a pension is payable.

7.3 The Local Government Pension Scheme and the Discretionary Compensation (Local Authority Members in England) Regulations 2003 shall apply to members who elect to join the LGPS.

8. Co-optee's Allowance

8.1 For each year a Co-optee's Allowance shall be paid to the Chairman of Standards Committee provided the post is held by an Independent Member.

8.2 For each year a Co-optee's Allowance shall be paid to the Deputy Chairman of Standards Committee provided the post is held by an Independent Member.

9. Withholding of allowances

9.1 Where payment of any allowance is due or has already been made in respect of any period during which the member concerned is

(a) suspended or partially suspended from his/her responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000, or regulations made under that Part; or

(b) ceases to be a member of the authority; or

(c) is in any other way not entitled to receive the allowance in respect of that period,

the authority may withhold the payment of an allowance for that period or, as the case may be, require that such part of the allowance already paid as relates to any such period be repaid to the authority.

9.2 The term "member" in this paragraph covers both councillors and co-opted members

9.3 Decisions as to the withholding or repayment of allowances under the above provisions shall be taken by the Standards (Local Determinations) Hearing Panel.

10. Renunciation

10.1 A councillor or a co-opted member may by notice in writing given to the Responsible Finance Officer elect to forego any part of his/her entitlement to an allowance under this Scheme.

11. Part-Year Entitlement

11.1 Subject to paragraph 11.7, the provisions of this paragraph shall have effect to regulate the entitlements of a councillor to Basic and Special Responsibility Allowances where, in the course of a year, this Scheme is amended or that councillor becomes, or ceases to be a councillor, or accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.

11.2 If an amendment to this Scheme changes the amount to which a councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance, then in relation to each of the periods:

(a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or

(b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

- 11.3 Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a Basic Allowance shall be to the payment to such part of the Basic Allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.
- 11.4 Where the Scheme is amended as mentioned in sub-paragraph 11.2, and the term of office of a councillor does not subsist throughout the period mentioned in sub-paragraph 11.2(a), the entitlement of any such councillor to a Basic Allowance shall be to the payment of such part of the Basic Allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a councillor subsists bears to the number of days in that period.
- 11.5 Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a Special Responsibility Allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- 11.6 Where this Scheme is amended as mentioned in sub-paragraph 11.2, and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 11.2(a) of that paragraph any special responsibilities as entitle him or her to a Special Responsibility Allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.
- 11.7 The provisions of this paragraph, subject to necessary modifications, shall apply to Co-optees' Allowances as if the reference to a "member" included a co-opted member.

12. Claims and Payments

- 12.1 Payments shall be made in respect of Basic and Special Responsibility Allowances, subject to sub-paragraph 11.2, in instalments of one-twelfth of the amount specified in this Scheme on the last day of each month (or the last working day before that day if it is not a working day).
- 12.2 Where a payment of one-twelfth of the amount specified in this Scheme in respect of a Basic Allowance or a Special Responsibility Allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 11.6, he or she is entitled, the payment shall be restricted to such

amount as will ensure that no more is paid than the amount to which he or she is entitled.

- 12.3 The provisions of this paragraph shall apply to Co-optees' Allowances in the same way as they apply to Basic and Special Responsibility Allowances.

This Scheme was approved by Full Council at its meeting on 20 October 2011 and takes effect from 21 October 2011 unless stated otherwise.

SCHEDULE 1

Special Responsibility Allowances

Responsibility	SRA (£)
Cabinet	
Leader of the Council	28,758
Deputy Leader of the Council	17,254
Cabinet Member with portfolio	10,927
Chairmen of Regulatory Committees	
Planning	10,927
Licensing (dual role)	8,626
Governance	8,626
Audit	8,626
Chairmen of Overview & Scrutiny Committees	
Overview & Scrutiny Commission	7,188
Adult Social Care & Housing OSC	7,188
Children & Young People OSC	7,188
Culture, Tourism & Enterprise OSC	7,188
Environment & Community Safety OSC	7,188
Health OSC	7,188
Deputy Chairs of Regulatory Committees	
Planning	7,188
Licensing (dual role)	2,156
Other positions of additional responsibility	
Leader of the Opposition Group	13,803
Deputy Leader of the Opposition Group	7,188

Note :

- The Cabinet shall comprise of not more than 10 Members made up of either
 - the Leader of the Council, two Deputy Leaders & Cabinet Members with portfolio plus seven Cabinet Members with portfolio, or
 - The Leader of the Council, one Deputy Leader & Cabinet Member with portfolio plus eight Cabinet Members with portfolio

- A maximum of two Deputy Leaders of the Opposition have been included in the Members' Allowances Scheme
- The remits and responsibilities of the Chairmen of the six Overview & Scrutiny Committees may change without requiring amendment to the Members' Allowances Scheme.
- Where a councillor holds more than one position of Special Responsibility, only one Special Responsibility Allowance shall be paid and this is the higher or the highest of the relevant allowances.

Co-optee's Allowances

Chairman

Independent Chairman of Standards Committee
4,313

Deputy Chairman

Independent Deputy Chairman of Standards Committee
(if the post is held by an independent member)
548

Special Responsibility Allowances and Co-optees' Allowances are payable from 21 October 2011.

SCHEDULE 2

Approved Duties

Brighton & Hove City Council specifies the following as approved duties for the purpose of the payment of Travel, Subsistence and Dependants' Carers' Allowances.

1. Attendance at :
 - (a) The council, cabinet, cabinet member meetings or any of its committees and sub-committees.
 - (b) The bodies to which the council makes appointments or nominations at either Annual Council or Governance Committee including any committee or sub-committee of such a body.
 - (c) The following meetings, the holding of which is authorised by the council, its cabinet or cabinet member meetings or any of its committees or sub-committees, or by any joint committee (or sub-committee thereof) of the council and any other authority, provided that it is a meeting to which councillors of at least two political groups of the council have been invited:
 - i) Meetings of the council's formally established consultative fora and partnerships, scrutiny review panels and select committees.
 - ii) Meetings with outside bodies in pursuit of economic development objectives which have been authorised by the council, its cabinet, cabinet member meetings or any of its committees or sub-committees.
 - iii) Councillors' tours of the authority's area which have been authorised by the council, its cabinet, cabinet member meetings or any of its committees or sub-committees.
 - iv) Internal training sessions organised and facilitated by officers of the council for the induction of councillors or for the better performance of their duties and responsibilities or to enable better understanding of the council's functions.
2. The following meetings of associations of authorities of which this authority is a member:

The Local Government Association and its committees
3. Any other duty, or class of duty approved by cabinet, cabinet member meetings or any committee, or officer of the council acting under delegated

powers, such duty or class of duty to be for the purposes of or in connection with the discharge of the functions of the council, its cabinet, cabinet member meetings or its committees or sub-committees.

Payments in respect of the above approved duties shall be paid in accordance with the following rates :

A. Travel and Subsistence Allowance

Public Transport

Actual standard class rail fares (first class travel will only be reimbursed with prior agreement where councillors have to work on the journey).

Long distance travel undertaken by car will be reimbursed at the rail fare rate where this is a cheaper option.

Councillors purchasing their own rail tickets should provide their receipt or ticket when claiming reimbursement.

For local travel councillors may choose:

Either

- (a) an annual saver ticket valid for Brighton & Hove buses where bus fares would otherwise be payable (bus travel is free for those aged 60 and over travelling after 9.00am and the disabled),

Or

- (b) a combination of reimbursement of cycle mileage and (ticketed) bus travel

Or

- (c) reimbursement of cycle mileage and passes to the Lanes and Hove Town Hall Car Parks

Mileage Allowances

Motor mileage for attendance at approved council duties is payable for travel **outside** the city boundaries only, except in exceptional circumstances where the use of taxis/personal transport shall be permitted with the agreement of the Monitoring Officer for example by Members who have a disability or injury, or former mayors undertaking mayoral duties on behalf of the Mayor. Taxis may also be claimed in cases of urgency, meetings outside normal working hours (8.30am-6.30pm) or where there is no public transport available. Receipts must be provided. Motor mileage within the city's boundaries is deemed to be covered by the Basic Allowance.

All mileage is paid at Inland Revenue advisory rates and these will automatically be updated by the council to reflect any changes the Inland Revenue introduces. The current rates are -

Cars	45p per mile
Supplement for Passengers	5p per mile for each official passenger, up to a maximum of 4 passengers
Motor Cycle Allowance	24p per mile
Cycle Allowance	20p per mile

In addition, those Members opting for either (b) or (c) above may also take advantage of either the council's Bike Loan Scheme or the new Tax-free Bike Scheme and they will have access to the showering and secure lock-up facilities at three sites across the city.

Day Subsistence

Subsistence for approved council duties is payable for attendances **outside** the city boundaries only, except in exceptional circumstances. Where refreshments are not provided, subsistence costs within the city's boundaries are deemed to be covered by the Basic Allowance. Where claims can be made, eligibility is based on the time of day meals are taken and time away from home, as follows: -

Breakfast allowance	-	more than four hours' absence before 11.00am	£6.50
Lunch allowance	-	more than four hours' absence including 12 noon – 2.00pm	£8.50
Tea allowance	-	more than four hours' absence including 3.00pm – 6.00pm	£3.50
Evening Meal allowance-		more than four hours' absence ending after 7.00pm	£15.00

Receipts should be provided for all subsistence claimed.

Overnight Subsistence

Where an overnight stay is required, overnight subsistence may be claimed up to a maximum of:

London/Conference Rate	not exceeding	£114.00
Standard Rate	not exceeding	£100.00

The above sums are for all subsistence received over a 24-hour period.

Meals on Trains

When main meals are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT) may be reimbursed in full, within the limits specified below. Where the cost of meals taken on trains is reimbursed, the rate of day subsistence allowance for that period of duty shall not exceed the maximum payable if the period of absence from the usual place of residence were reduced by four hours in respect of each meal taken.

The limitations on reimbursement are:

- (i) Absence of more than four but not more than eight hours, the cost of one main meal.
- (ii) Absence of more than eight hours but not more than 12 hours, the cost of two main meals.
- (iii) Absence of more than 12 hours, the cost of three main meals.

Where the cost of meals taken on trains is reimbursed, the rate of day subsistence for that period of duty shall not exceed the maximum payable if the period of absence from the usual place of residence were reduced by 4 hours in respect of each meal taken.

NOTE:

1. The council will not reimburse the cost of any alcohol purchased.
2. With effect from 1 September 2007 motor mileage within the authority's boundaries can only be claimed in exceptional circumstances and councillors should either use the bus or cycle within the city.
3. With effect from 1 September 2007 subsistence within the authority's boundaries can only be claimed in exceptional circumstances.

Car mileage rates were revised from 1 April 2011. All other travel and subsistence rates apply from 28 November 2003 and these have been re-affirmed by Full Council on 21 October 2011.

B. Dependants' Carers' Allowance

Dependants' Carers' Allowance (for children and adult dependants) may be paid retrospectively to either councillor or care provider when a councillor

attends any of the approved duties identified in Schedule 2 to this Scheme and incurs costs for care provision.

This claims-based scheme is subject to tax and national insurance deductions at personal rates (liability falling to whoever receives the payment).

Childcare

Eligible councillors may claim no more than the actual amount paid for childcare provision, up to a maximum of £7.00 per hour for a single child, or up to a total of £9.00 per hour for two or more children, provided the appropriate form is completed and the relevant receipts are attached.

Up to a total of one hour travelling time may be added to the claim (where applicable) to enable the councillor to travel to and from meetings, provided the child/children remain with the carer for the duration.

Childcare costs may be claimed for children until the Saturday following the 1 September after their 15th birthday in line with the government's eligibility criteria for Working Tax Credits.

The restriction on the use of household members for caring (family and otherwise) applies as a matter of good practice in line with other local authorities.

The minimum age for any carer should be 18 years.

The annual cap for childcare is set at £1,200 pa per councillor.

Dependant Care

This allowance is payable for both children with severe disabilities and also dependent adult relatives living in the councillor's home and for whom the councillor is directly responsible. It applies to the care of dependants on social or medical grounds.

Eligible councillors may claim no more than the actual amount paid for specialist dependant care up to a maximum of £7.50 per hour, provided the appropriate form is completed and the relevant receipts are attached.

Up to a total of one hour travelling time may be added to the claim (where applicable) to enable the councillor to travel to and from meetings, provided the dependant remains with the carer for the duration.

The minimum age for any carer should be 18 years.

The annual cap for dependant care is set at £1,200 pa per councillor.

The Dependants' Carers' Allowance was revised at Full Council on 20 October 2011.

SCHEDULE 3

Other Allowances

NB These allowances which do not form part of the Members' Allowances Scheme are included here for information only :

Mayoral Allowances

Mayor's Allowance for 2011/12 £12,572 pa

Deputy Mayor's Allowance for 2011/12 £3,518
pa

The Mayoral Allowances were approved by Full Council on 28 April 2005 and have been uplifted by inflation each year since, following the recommendations of the Independent Remuneration Panel.

Payments to Former Mayors £35 per
duty

This is currently a flat rate allowance which is not subject to inflationary increases, although it is subject to further review as required by the Independent Remuneration Panel.

Independent Remuneration Panel

Members of the Independent Remuneration Panel (5) £528 pa
each

Council

20th October 2011

Agenda Item 28

Brighton & Hove City Council

Subject: **Scrutiny Report: Renewable Energy Potential**

Date of Meeting: **20th October 2011**

Report of: **Strategic Director, Resources**

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 The Council's Constitution requires that the findings of Scrutiny Panels, along with the executive response, be reported to Full Council for information.
- 1.2 This report presents to Council the findings of the Scrutiny Panel on Renewable Energy Potential (Appendix 1) and the Executive response (Appendix 2).

2. RECOMMENDATIONS:

- 2.1 That Members note Appendices 1 and 2.

3. BACKGROUND INFORMATION

- 3.1 The Panel was set up by the Environment and Community Safety Overview & Scrutiny Committee because it had been suggested that

'...there has been no large scale support or uptake of renewable energy in the city'.

- 3.2 The aim of the Panel was to find out:

'What is the renewable energy potential of the city? Is this being maximised and if not, why not?'

- 3.3 The Panel held four public meetings, they heard from 24 witnesses and received written evidence from 12 contributors.

- 3.4 The Panel made 13 recommendations which were accepted in principle by the Executive. These can be found in the summary report in Appendix 1.
- 3.5 The full Scrutiny Panel report along with the evidence base is available in Members' Rooms and on the Scrutiny webpages.

4. CONSULTATION

- 4.1 No formal consultation has been undertaken in relation to this report. The Scrutiny Review undertook extensive consultation.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 No specific implications as this report is purely for the Council to note.

Legal Implications:

- 5.2 As indicated in paragraphs 1.1 and 2.1 above, and in accordance with the council's procedure rules on overview and scrutiny, this report is purely for Council to note. There are no further legal implications arising directly from the report.

Lawyer consulted: Oliver Dixon

Date: 10 March 2011

Equalities Implications:

- 5.3 No specific implications as this report is purely for the Council to note.

Sustainability Implications:

- 5.4 No specific implications as this report is purely for the Council to note.

Crime & Disorder Implications:

- 5.5 No specific implications as this report is purely for the Council to note.

Risk and Opportunity Management Implications:

- 5.6 No specific implications as this report is purely for the Council to note.

Corporate / Citywide Implications:

- 5.7 No specific implications as this report is purely for the Council to note.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of the Scrutiny Panel on Renewable Energy Potential.
2. Executive response to the scrutiny recommendations.

Documents in Members' Rooms:

1. Full Scrutiny Panel report and evidence base

Renewable Energy Potential – Report Summary for Council

1.0 About this Panel

- 1.1 The Panel was set up by the Environment and Community Safety Overview & Scrutiny Committee (ECSOSC) and consisted of Dr Adrian Smith of the University of Sussex (Chair), Councillor Pete West, Councillor Warren Morgan and Councillor David Watkins. This Panel had been suggested because:

'...there has been no large scale support or uptake of renewable energy in the city'.¹

The aim was to find out:

'What is the renewable energy potential of the city? Is this being maximised and if not, why not?'²

- 1.2 The Panel agreed its terms of reference as:

1. To understand how Brighton & Hove City Council (BHCC) can ensure the growth of renewable energy in the city
2. To assess how best to take advantage of the financial benefits which are currently available, including the Feed In Tariff (FIT) scheme
3. To consider what are the resources for renewables and how prioritisation is affecting decisions on renewables
4. To assess what should be the renewables policy, priorities and targets for the city
5. To identify the opportunities offered by this sector at the city scale. For example, the employment and business opportunities that could come from a growth in PhotoVoltaic (PV) solar panel installations in the city
6. To identify the barriers to local energy generation/projects that are already working and could be expanded
7. To assess which are the best technologies to encourage and develop in the city
8. To judge at what scale can each technology be used or realised
9. To recommend what are the priorities for progress e.g. by tenure, method of heating/lighting and measurements/targets
10. To identify which schemes will benefit the community and/or which ones can deliver the targets
11. To identify potential partners for delivering
12. To consider how to monitor what is installed and to review council policy and practice³

¹ Work Programme Report to ESCOS on 13/09/10 <http://present.brighton-hove.gov.uk/mgConvert2PDF.aspx?ID=2364&T=10>

² ibid

³ Scoping report of the Panel

- 1.3 It was felt to be important to hold the Panel as a matter of urgency because the national Feed-In Tariff (FIT) provides a very strong incentive for renewable energy in the UK. The Government is pushing local power and heat generation and there is broad political consensus on this nationally. However, following a fast-track review, the Department of Energy and Climate Change announced that from August 2011 the FIT rates would drop for new PV solar projects over 50kW while the rate for farm scale anaerobic digestion would increase. This was because:

'...the demand for [this] ... subsidy has grown so substantially that it now significantly exceeds the amount of funding available'⁴

It is very likely that the financial incentives to grow this sector will continue to diminish over time.

- 1.4 The Panel held one private scoping meeting and four public meetings. They heard from 25 witnesses and received written evidence from 12 contributors.

2.0 What is renewable and sustainable energy?

- 2.1 The Panel was set up to identify what could be done to encourage the growth of renewable energy in the city. This term refers to energy sources which do not deplete the earth's natural resources, for example PV solar panels.
- 2.2 However, as the Panel progressed it became clear that it would be sensible to widen the focus to include also consider what are known as 'transitional technologies' such as District Heating and Combined Heat and Power. Sustainable energy covers both renewable energy and transitional technologies. So the Panel considered sustainable energy, rather than renewable energy, except where there was the need to refer specifically to renewable energy technologies.

3.0 Why is sustainable energy important?

- 3.1 The growth of renewable energy is both an international and national priority, because this form of energy can:
- Promote the security of energy supply
 - Help tackle climate change
 - Address pollution problems with conventional fuel extraction and combustion
 - Respond to increasing energy costs
 - Develop new sectors for the economy

⁴ Written Ministerial Statement by Greg Barker, 09.06.11
http://www.decc.gov.uk/en/content/cms/news/fits_wms/

- 3.2 Legally binding targets have been set to ensure the growth of renewable energy and government policy aims to encourage the development of this sector. The national target is to supply 15 per cent of the UK's energy from renewable sources by 2020, a seven-fold increase on levels in 2008 (only 2.2%).
- 3.3 The Panel heard a number of reasons why Brighton & Hove needs to value this sector, as more than just a means of reducing CO₂. It can also be a way to address social policy goals and realise a wide range of economic opportunities for the city. These include:
- Tackling fuel poverty
 - Income generation from incentives and selling energy
 - Lowering energy prices
 - Creating local jobs
 - Linking to waste management, e.g. with district heating schemes
 - Improving the city's infrastructure, e.g. improving housing conditions
 - Education and improving skills
 - Adding to our civic reputation and creating a hub for this sector

Opportunities for the Council

- 3.4 The Panel heard that the benefits for the council could include:
- Taking advantage of the ability of local authorities to sell their own electricity
 - Reducing its own energy bills and generating revenue, which would also shield the council from energy price rises and volatility
 - Showing leadership

What are the barriers?

- 3.5 The key national barriers to installing sustainable energy which were highlighted to the Panel were:
- Lack of leadership
 - Too many policies
 - Insufficient skills and training provision
 - Poor performance in comparison to Europe
- 3.6 Evidence to the Panel identified a range of potential barriers to installing sustainable energy in the city, which included:
- Possible difficulties in installing these projects in the significant number of houses in conservation areas
 - Upfront costs of installation
 - Monitoring of schemes
 - Difficulties in dealing with council departments

4.0 Incentives to grow this sector

4.1 The Panel was struck by how many incentives were available to assist the growth of this sector in the city and the importance of taking timely action to capitalise on the following:

- The potential for income generation from incentives such as the FIT and Renewable Heat Incentive (RHI)
- National government support and funding opportunities
- New investment funds looking for local and community opportunities
- The Renewable Heat Premium Payment, an interim scheme until the RHI starts for residential installations in 2012

4.2 The Panel heard that the council was currently working on an options appraisal relating to FIT which aims to:

*'...ensure that tenants and the council can maximise opportunities to benefit from investment opportunities.'*⁵

4.3 Following the completion of this Panel, on 9th June 2011 Cabinet received a report on a plan for implementing PV solar panels on non-housing properties and approved funding of up to £2.6m for identified sites.⁶

5.0 Is the city taking advantage of these opportunities?

5.1 The evidence heard by the Panel suggested that the potential of this sector was not currently being realised in the city. There was scope for the council to take further action to capitalise on opportunities, including:

- Seizing the chance to work in partnerships on projects currently being developed in the area - such as Shoreham Port. The aim would be to facilitate the incorporation of RE schemes into such developments
- Learning from the positive experiences, and outcomes, of other local authorities, including Kirklees Council and Eastleigh Borough Council who spoke to the Panel
- Working to improving the experience of developers and installers as the Panel heard from witnesses had approached the council and either not received a positive response or found the process difficult to navigate

5.2 The recommendations of this Panel focussed on the important role that the council could play in growing this sector in the city. These roles include:

- **Driver** (e.g. through Planning requirements)

⁵ Home Energy Efficiency Investment Opportunities, Update to HMCC , 13.12.10

⁶ Report to Cabinet <http://present.brighton-hove.gov.uk/mgConvert2PDF.aspx?ID=29832>

- **Supporter** (e.g. by raising awareness and generating consent)
- **Facilitator** (e.g. through hosting partnerships)
- **Developer**
- **Enabler** (e.g. through the use of its estate)
- **Commissioner**
- **Community leader** (e.g. through investing sustainable energy funds locally)

How a specialist team or energy agency could benefit the city

5.3 The Panel heard that sustainable energy was a complex sector with rapidly changing policies. The situation is both full of opportunities, but also fraught with dangers. This requires a wide range of skills and capabilities which are typically spread across a range of departments within the same organisation. These skills include:

- Technical
- Legal
- Financial
- Planning
- Marketing
- Partnership working
- Community development

A team leading the way on sustainable energy (see Recommendation 5) need not possess all these skills itself, but it needs to be able readily to access and coordinate specialist help from other parts of the organisation. So Brighton & Hove City Council needs to ensure that it has skilled people with the capacity to be responsive to these opportunities, negotiate partnerships and gain the benefits from energy projects.

5.4 One of the tasks of a specialist team would be to keep abreast of such a fast moving area. This would include:

- Learning from good practice in Europe
- Learning from good practice authorities
- Monitoring projects in the city, to learn what worked well and what could be improved
- Generating income by investing in energy saving and renewable energy measures, or partnering with others and sharing benefits. The Agency should not inhibit others from developing sustainable energy in the city

Learning from other local authorities

5.5 The Panel heard very positive evidence from local authorities who had undertaken a significant amount of work to enable the growth of renewable energy, so felt it was important for BHCC to learn from council's such as Kirklees and Birmingham.

The need to act now

5.6 Along with the changing subsidies for the sector, the need for the council to act swiftly was reinforced by the evidence from local authorities who were further along in their renewables work such as Kirklees. Their evidence highlighted the level of resources required to both enable the growth of, and develop, renewable energy. Stress was also placed on the complexity of such projects and the range of skills needed.

6.0 Failing to deliver

6.1 The Panel heard that if city failed to capitalise on the opportunities offered by this sector, it could have the following consequences:

- Failing to maximise the potential income stream from sustainable energy which is especially important in a time of financial constraint
- Missing the chance to help the most disadvantaged in the city
- Passing up the chance to develop new economic activity in the city
- Not enabling the wider population to realise the potential benefits from this sector
- Tarnishing our reputation as a sustainable city, as other cities take fuller advantage of the opportunities from this sector. It could enable the council to realise one of its corporate priorities which is to *'protect the environment while growing the economy'*⁷

6.2 Evidence from Kirklees Council, as well as the council's Lead Commissioner Housing, highlighted how the growth of sustainable energy could be used to benefit the most vulnerable groups in the city who suffer fuel poverty.

7.0 Recommendations

7.1 Having received a comprehensive amount of evidence, the Panel decided to focus on the outcomes it wished to achieve from this inquiry. These were:

- Clear and consistent plans developed by the city and the council for this sector
- Helping the city to move from developing plans and policies for this sector to delivering renewable energy projects
- Raising the profile of this sector
- Making renewable energy a priority for commissioning services in the council
- A council which is working to capitalise on the range of opportunities which come from renewable energy, including training and employment opportunities
- A dedicated team which would be responsible for sustainable energy

⁷ Brighton & Hove City Council's Corporate Plan 2008-2011, http://www.brighton-hove.gov.uk/downloads/bhcc/performance_team/Corporate_Plan_2008_V310708.pdf

- The proper monitoring of renewables and learning from the outcomes of projects

7.2 To achieve this it grouped the recommendations, drawing on the roles which were identified for councils in this sector, under the following headings

- Driving projects forward
- Leadership
- Making the most of opportunities in the sector
- Building capacity and becoming a 'hub'
- Renewable energy for the community

Driving projects forward

Recommendation 1: Council plans to invest in sustainable energy

7.3 The Strategic Director, Place, to publish in 3 months time a public document setting out the council's plans to invest in sustainable and renewable energy.

Recommendation 2: Encouraging the city to invest in sustainable energy

7.4 The Strategic Director, Place, to approach major local land-owners and developers (including Shoreham Harbour) to explore as a matter of urgency how they can incorporate sustainable energy in their developments. The Strategic Director, Place, to report back on progress in 3 months time.

Due to the urgency of undertaking recommendations 1 & 2, the deadlines for these were calculated as 3 months from April 2011.

Leadership

7.5 The Chair's foreword to the Panel's report emphasised the need for citywide leadership, having observed that:

'Much of the potential is currently frustrated because there is no co-ordinating leadership that brings together the people with the skills, finance, spaces, technologies, and plans in a way that makes sure projects happen.'

7.6 The following recommendations focussed on fostering the forms of leadership that were all so important to fostering the growth of this sector:

- City leadership
- Political leadership
- Council leadership

Recommendation 3: A sustainable energy programme for the city

7.7 The council to feed into a city wide energy planning process. This programme could be developed by the City Sustainability Partnership, if sufficiently resourced, to produce a city wide sustainable energy programme, to ensure

that sustainable energy is integrated into all appropriate projects. This should be led in the Council by the Strategic Leadership Board and published in 5 months time.

Recommendation 4: A council policy on sustainable energy

7.8 The Strategic Director, Place, to develop a corporate policy on sustainable energy which would bring together the work being undertaken across the authority.

Recommendation 5: A sustainable energy team

7.9 The council to explore how to establish a dedicated team – for example, a Sustainable Energy Agency - to take forward sustainable energy initiatives in the city.

Making the most of opportunities

7.10 The evidence heard by the Panel suggested that the full potential of this sector was not currently being realised in the city. Recommendations 6-9 were aimed at enabling the council to take further action to capitalise on the available opportunities in this sector.

Recommendation 6: Long term strategic planning

7.11 The council to undertake, or enable, a study on sustainable energy potential in the city over the next 10 years. This study would include geographical opportunities, funding and partnership opportunities.

Recommendation 7: A heat mapping exercise

The Strategic Director, Place, to ensure that a heat mapping exercise is undertaken to assess the feasibility and map opportunities for District Heating in the city. To be completed within 5 months.

Recommendation 8: A priority for Intelligent Commissioning

7.12 The Strategic Director, Place, to consider the suitability of sustainable energy as a priority for Intelligent Commissioning and identify how both sustainable and renewable energy could be embedded in the council's planning process.

Recommendation 9: Monitoring sustainable energy

7.13 The Head of Planning and Public Protection to identify a resource to monitor sustainable energy projects in the city and establish a monitoring system which enables learning from these projects to inform future policy.

Building capacity and becoming a 'hub'

- 7.14 Evidence to the Panel endorsed the belief that the city could become a hub for sustainable energy. Factors included the Rampion off-shore wind project and the presence of two universities in Brighton & Hove.

Recommendation 10: Training and employment - opportunities and gaps

- 7.15 The Strategic Director, Place, to ask the Economic Development team to review and identify the training and employment suppliers for this sector; including the opportunities and gaps – e.g. apprenticeships, helping job seekers, City Employment Skills Plan and potential links to the city’s Economic Partnership and the ‘Coast to Capital’ Local Enterprise Partnership .

Recommendation 11: Raising the profile of sustainable energy

- 7.16 The Strategic Director, Place, to establish a campaign to raise the profile of sustainable energy.

Recommendation 12: A statement of ambition

- 7.17 The City Sustainability Partnership to be resourced to link up with universities, developers and installers in the city, community groups, as well as energy utility companies and developers experienced in city-scale renewables in other cities to produce a statement of ambition on sustainable energy for Brighton & Hove.

Sustainable energy for the community

- 7.18 The Panel heard significant amounts of evidence on how developing sustainable energy could benefit the city’s community.

Recommendation 13: Helping community energy

- 7.19 The Strategic Director, Place, to ensure that the Citywide Sustainable Energy programme would have as a key aim to use the growth of this sector to assist the community. For example this could include a commitment to look for community opportunities when developing projects which incorporate sustainable energy.

8. Conclusion

While Brighton & Hove has a significant number of plans and policies to grow this sector, it needs to install sustainable energy projects in the city as a matter of urgency. This will bring a significant number of opportunities to the city and so should not expose it to losing out to other locations which may seize the chances before us. The recommendations are focussed on achieving this outcome.

The way forward

ECSOSC will request implementation reports at six monthly intervals until all the agreed recommendations have been implemented.

WITNESSES WHO GAVE EVIDENCE (IN ORDER OF APPEARANCE)

Name	Title	Organisation
Councillor Ayas Fallon-Khan	Cabinet Member - Enterprise, Employment & Major Projects and Lead Councillor for Sustainability	
Geoff Raw	Strategic Director, Place	Brighton and Hove City Council (BHCC)
Patrick Allcorn	Assistant Director	Department for Energy and Climate Change (DECC)
David Payne	Sole proprietor	Cissbury Consulting
Will Cottrell	Chair	Brighton Energy Co-op
Judith Beard	Sustainability Policy Co-ordinator	Eastleigh Borough Council
Chris Rowlands	Director	OVESCo (Ouse Valley Energy Services Company Ltd)
Michael King	Associate	Combined Heat and Power Association (CHPA), a co-founder of Aberdeen Heat & Power (a not-for-profit ESCo)
Sayed Ahmed	Consultant	Arup
Jae Mather	Director of Sustainability	Carbon Free Group
Peter Davies	Development Director	Shoreham Port Authority
Dr Phil Webber	Head of the Environment Unit	Kirklees Council
Howard Johns	Managing Director	Southern Solar, also the Chairman of the Solar Trade Association and the Founder of OVESCo
Ross Gilbert	Director	Quoin Estates and Developments
Daren Howarth	Consultant	CLEVEL
Helmut Lusser	Chair	Hove Civic Society
John Kapp	Secretary	Renewables Infrastructure Group (RIG), Hove Civic Society
Thurstan Crockett	Head of Sustainability and Environmental Policy	BHCC

Martin Randall	Head of Planning and Public Protection	BHCC
Roger Dowty	Design and Conservation Manager	BHCC
Sam Rouse	Air Quality Advisor	BHCC
Angela Dymott	Head of Property and Design	BHCC
Glynnan Barham	Energy and Water Manager	BHCC
Jugal Sharma	Lead Commissioner Housing	BHCC
Nigel Manvell	Value for Money Programme Director	BHCC

Executive response to the Renewable Energy Scrutiny Review

Rec Number	Scrutiny Recommendation	Executive Response to recommendation Decision-making body, date	Action taken or likely date of action
1	<p>Council plans to invest in sustainable energy: The Strategic Director, Place, to publish in 3 months time a public document setting out the council's plans to invest in sustainable and renewable energy.</p>	<p>The corporate buildings solar PV programme was approved in outline at Cabinet on 9 June 2011. The report covers 23 sites with a strong business case and a further 17 sites, which have the potential but will need clarification from survey work. The sites within the scheme are made up from corporate and school buildings. The procurement process for this project is currently looking at the most advantageous (time and cost) route for procuring the panels and a decision will hopefully be made imminently.</p> <p>Housing has moved quickly to assess the benefits of the Feed in Tariff scheme. In addition to FIT, Housing are exploring other options to increase investment in home energy efficiency across the city:</p> <ul style="list-style-type: none"> • Sub regional procurement of solar PV underway. Framework agreement to be in place June 2011 available for the Council to call-off after business modelling completed and further approval sought/given • Exploring the role the council will play in the delivery of the 'Green Deal' and are working towards a 'go early' scheme to replicate Green Deal benefits for city residents and to promote home energy efficiency and sustainable energy • Renewable Heat Incentive – as more details emerge we will be able to explore options to benefit both council tenants and other residents in the city 	<p>PV programme for operational sites including procurement – Energy & Water Team/Procurement (by March 2012)</p> <p>Housing Cabinet member report September 2011.</p> <p>Installation programme - Architecture & Design Manager, by April 2012</p>

		<ul style="list-style-type: none"> • Exploring use of Energy Service Companies as a potential delivery vehicle for significant home energy efficiency and sustainable energy projects in the city <p>The Council has also undertaken a range of renewables projects, through works carried out by the Architectural team, that have incorporated various no and low carbon technologies alongside other sustainable design components. These have included:</p> <ul style="list-style-type: none"> • Balfour School: Ground Source Heat Pump, Solar Thermal and Passive Stack • Davigdor School: Solar Thermal • Somerhill Junior: Air source heat pump, solar thermal <p>Other projects currently underway include:</p> <ul style="list-style-type: none"> • Whitehawk Co-Location (Public building) Air Source heat pump, passive stack ventilation, rainwater harvesting • Whitehawk Co-Location (School) Air Source heat pump, passive stack, rainwater harvesting • Westdene Primary Air Source heat pump, passive stack, rainwater harvesting • Goldstone Primary Air Source heat pump, passive stack, rainwater harvesting, solar thermal • Queens Park Primary Air source Heat pump, passive stack ventilation • Falmer Academy, Biomass boiler, rainwater harvesting, solar thermal. 	
2	<p>Encouraging the city to invest in sustainable energy The Strategic Director, Place, to approach major</p>	<p>The council has worked with the Development Director of Shoreham Port to advise on renewables development and helped facilitate a connection with Brighton Energy Co-op which is working on securing a deal. This could be to put a solar PV array on the Hove Enterprise Centre within the</p>	<p>SPD08 to undergo review late 2011. Current 'recession busting' measures will be subject to review with a view to the introduction of carbon</p>

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	<p>local land-owners and developers (including Shoreham Harbour) to explore as a matter of urgency how they can incorporate sustainable energy in their developments. The Strategic Director, Place, to report back on progress in 3 months time.</p>	<p>port; advice has also been given about appointing a project manager for the renewables work and about the impact of the FIT review. Also re work connected with the offshore windfarm development.</p> <p>Local Plan Policy SU2 and SPD08 Sustainable Building Design Supplementary Planning Document seek to deliver high levels of energy performance including installation of renewable technologies through the planning system.</p> <p>SPD08 includes a policy for carbon neutral development which has the potential to push this further. The policy has been temporarily waived as part of 'recession busting' measures.</p> <p>The submission Core Strategy promotes the growth of environmental industries in the city in policy CP16 Planning for Sustainable Economic Development. Shoreham Harbour (DA7) is identified as a specific location for environmental industries. Policy CP1 addresses Sustainable Building Design targets for new build. Policy SA6 Sustainable Neighbourhoods seeks to promote environmental sustainability improvements to new and existing buildings.</p> <p>Major local landowners have not been contacted due to the continued uncertainties in the renewables regime nationally.</p>	<p>offset payments towards grants for renewables.</p> <p>Update employment and area based priorities providing an opportunity to update and amend policies.</p> <p>Subject to members agreeing to withdraw the Core Strategy, policies will be updated and amended for October 2011 Cabinet. This will include CP1 which will be updated during the 'refresh' and public consultation undertaken.</p> <p>– City Planning</p>
<p>3</p>	<p>A sustainable energy programme for the city The council to feed into a city wide energy planning process. This programme could be developed by the City Sustainability Partnership, if sufficiently</p>	<p>The CSP does not feel well enough resourced at present to develop this programme, but has invited the emerging Sustainable Energy Working Group to its July 18 meeting to hear how this might be developed. The group is made up of experienced renewables practitioners and has a practical focus on helping the council implement these recommendations. This would also involve an early mapping exercise of energy projects in the city leading</p>	<p>CSP meeting to explore formalising link with and role of working group – July 18 2011.</p>

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	<p>resourced, to produce a city-wide sustainable energy programme, to ensure that sustainable energy is integrated into all appropriate projects.</p>	<p>potentially to an on-line directory of low carbon projects and providers here.</p> <p>A city-wide programme should be developed as part of the Zero Carbon commission which is in the council's draft commissioning plan to begin in 2012/13. This conforms with the preparatory work being done for the CSP to revise the city's Climate Change Action Plan, with key strands on Housing, Transport, Industry & Commerce, Sustainable Energy and Adaptation.</p>	<p>CCAP draft due September 2011</p> <p>Commissioning Plan due to be considered in September 2011</p>
4	<p>A council policy on sustainable energy The Strategic Director, Place, to develop a corporate policy on sustainable energy which would bring together the work being undertaken across the authority.</p>	<p>A policy has been drafted but needs to be improved to reflect the new administration's ambitions and also to have a more city-wide approach.</p>	<p>Resources Unit, by September 2011</p>
5	<p>A sustainable energy team The council to explore how to establish a dedicated team – for example, a Sustainable Energy Agency - to take forward sustainable energy initiatives in the city.</p>	<p>The Council's corporate Energy & Water Team are reviewing renewables potential in the city linked to council land and buildings and as a catalyst for wider impact and deployment. Additional resources – two FTE posts - are being allocated to the team to improve the capacity to do this and existing work on energy efficiency more quickly and effectively.</p> <p>There could also be the potential for the energy working group to consider how an agency might be set up and this could form part of the commissioning process. The options need to be explored in more detail before any commitment is made to this.</p>	<p>Renewables investigation - Energy & Water Team</p> <p>Zero Carbon Commission 2012/13</p>
6	<p>Long term strategic planning The council to undertake, or</p>	<p>The level of solar availability or rather the strength and clearness of the light levels in Brighton is known to be good</p>	<p>Site suitability study and wind mapping complete - Energy &</p>

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<p>enable, a study on renewable energy potential in the city over the next 10 years.</p>	<p>and is only bettered by areas in the far South West. It is for that reason that initial studies have been carried out by the Council's corporate Energy & Water Team (EWT) to determine suitability of a number of Council properties.</p> <p>For other renewable technologies a wind mapping exercise was also carried out by the EWT, which used topographical data made available from DECC. This information was plotted onto our GIS system and sites that lent themselves to having wind turbines installed were highlighted. This information has been shared with City Planning.</p> <p>Identifying sites for renewables in city should be done through Part 2 of a citywide plan/Site Allocations document. National planning policy guidance on climate change in Planning Policy Statement 1 requires Local Planning Authorities to develop an evidence base to support policies including significant energy infrastructure. Early indications are that this approach will continue in the proposed National Planning Policy Framework (that will replace PPSs). A study on site specific opportunities for energy infrastructure should be undertaken to support future site allocations and ensure the future plan is sound.</p> <p>Assumptions were made during the scoping of the panel's work about the viability of tidal and wave energy here, but the University of Brighton has a team patenting a new system which they would like to test locally if sufficient research and development funds can be sourced to develop a prototype first.</p>	<p>Water Team</p> <p>To form part of the evidence base for commissioning for a local carbon city, a study would need to be drawn together from existing information and new information required. It is not clear yet who would lead this work.</p> <p>Progressing work on site allocations should be done through an energy infrastructure feasibility study.</p> <p>In terms of preparing this study there is a current resource gap in terms of in-house expertise and funding.</p>
<p>7 A heat mapping exercise The Strategic Director, Place, to ensure that a heat mapping exercise is undertaken.</p>	<p>Initial work has been undertaken by the council's energy manager, which has looked at the studies carried out by the London Development Agency in London to develop their heat mapping programme. This work has been supported by Planning, as the information would benefit</p>	<p>Energy Manager – 2012/13</p>

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	<p>A priority for Intelligent Commissioning The Strategic Director, Place, to consider the suitability of sustainable energy as a priority for Intelligent Commissioning and identify how both sustainable and renewable energy could be embedded in the council's planning process.</p>	<p>development strategies within the city.</p> <p>Zero Carbon is one of the potential priorities for a draft City Commissioning Plan and Sustainable Energy is a key strand of this.</p>	<p>2012/13 provisionally. Plan due for consideration by Cabinet in September.</p>
<p>8</p>	<p>Monitoring sustainable energy The Head of Planning and Public Protection to identify a resource to monitor renewable energy projects in the city and establish a monitoring system which enables learning from these projects to inform future policy.</p>	<p>The revised online Sustainability Checklist for Planning facilitates close monitoring of energy technologies proposed as part of development through the planning process.</p> <p>Data on low and zero carbon technologies will be subject to regular monitoring. Findings will inform policy development and implementation.</p>	<p>The checklist launched on July 6th 2011 became a validation requirement from July 13th 2011 for planning applications for new residential and non residential development and conversions.</p> <p>Annual Monitoring Report (AMR) will report back from the new checklist from 2012.</p> <p>The AMR will measure the implementation of policies in the Core Strategy once adopted including policies set out in section 2 of the table.</p>
<p>10</p>	<p>Training and employment - opportunities and gaps The Strategic Director, Place, to ask the Economic Development team to review</p>	<p>The council's local employment scheme co-ordinator has started discussions with City College and South Downs college regarding the courses they are providing, following training promoted to local trades and business people on FIT and PV opportunities at events in Eastbourne and</p>	

	<p>and identify the training and employment suppliers for this sector; including the opportunities and gaps – e.g. apprenticeships, helping job seekers, City Employment Skills Plan and potential links to the city's Economic Partnership and the 'Coast to Capital' Local Enterprise Partnership.</p>	<p>Lewes. Economic Development is working with Shoreham Harbour Partnership, West Sussex CC, City College Brighton & Hove, Northbrook College and partners in Plymouth, Southampton, Rotterdam and Antwerp to bid for EU funds to promote Port related employment for young unemployed people. The bid focuses on the development of Shoreham Harbour and the jobs, career and apprenticeship opportunities they provide e.g. the wind farm and bio fuel operations. If successful the bid will represent an investment of around £1million toward new curriculum, closer links between business and schools and work to promote supply chains for the sector.</p>	<p>The bid deadline is 8 July approved bids announced January 2012</p>
<p>11</p>	<p>Raising the profile of renewables The Strategic Director, Place, to establish a campaign to raise the profile of renewable energy.</p>	<p>A communications strategy is developing in relation to the new administration's priorities, not least for making Brighton & Hove the UK's Greenest City and this will contain a core component on renewables; to date the uncertainties in government policy on FITs have made it difficult to communicate.</p> <p>The City Council has sponsored Fotodocument to commission an international photographer Markel Redondo to document world leading Spanish solar power projects as part of a major exhibition of positive environmental images to be staged at Brighton Station and other SE stations in 2012. http://www.fotodocument.org/shortlist.htm</p>	<p>September 2011 alongside corporate plan</p>
<p>12</p>	<p>A statement of ambition The City Sustainability Partnership to be resourced to link up with universities, developers and installers in the city, community groups, as well as energy utility companies and developers</p>	<p>The CSP has limited resources still but can explore this as part of the unallocated LPSA reward funds made to the Brighton & Hove Strategic Partnership.</p> <p>Some good links on this work exist currently – especially with the University of Brighton – but this could be developed and expanded. Again the working group may have a key role in this as it also contains a number of</p>	<p>Funds re-allocated Autumn 2011 – Public Service Board</p>

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	<p>experienced in city-scale renewables in other cities to produce a statement of ambition on sustainable energy for Brighton & Hove.</p> <p>Helping community energy The Strategic Director, Place, to ensure that the Citywide Sustainable Energy programme would have as a key aim to use the growth of this sector to assist the community.</p>	<p>installers. The Greens manifesto contains a number of statements of ambition reflected in para. 3.3 of the report accompanying this Appendix.</p>	
13		<p>Talks are underway with Finance South East to explore the potential of the city council investing in a community energy fund which would finance feasibility and start-up stages of community energy funds.</p> <p>Discussions have also been held with Brighton Energy Co-op to explore possible sites for investment.</p>	Meeting held on July 8, 2011

Subject:	Brighton & Hove City Council Corporate Plan 2011-15		
Date of Meeting:	20 October 2011		
Report of:	Strategic Director, Resources		
Lead Member:	Leader of the Council		
Contact Officer:	Name:	Matthew Wragg	Tel: 29-3944
	Email:	matthew.wragg@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: CAB23556	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

1.1 The Corporate Plan describes in summary the priorities of Brighton & Hove City Council as an organisation, providing clear context and direction for, principally, those who receive services from the council and those who work for and with the authority.

1.1.1 This plan follows the commonly used format for local authority corporate plans which is:

- *Council Priorities* – which articulate the outcomes the council is seeking to achieve during the lifetime of the plan.
- *Operational Approach* – how the council will ensure it is fit for purpose and manage its resources, both financial and people, to deliver its priorities.

1.2 Given the established and effective partnerships in Brighton & Hove the Corporate Plan references and complements other key strategic partnership plans for the city, in particular the Sustainable Community Strategy (SCS) which sets out the agreed city vision.

2. RECOMMENDATIONS:

2.1 That Council, as recommend by Cabinet on September 22, approve the Corporate Plan for 2011 - 2015, as set out in appendix 1.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 In recent years there have been certain statutory requirements which local authority corporate plans have been obliged to fulfil, based primarily on reporting and inspection of statutory performance monitoring. National Government has removed these requirements, giving greater flexibility over content. Most local authorities now produce a Corporate Plan aligned to the Comprehensive Spending Review period.

- 3.2 The Plan is divided into two sections. Part One sets out the council's priorities and Part Two its operational approach, both for the next four years.
- 3.3 Under each council priority are the following:
- I. **Outcomes:** within each priority there are a set of outcomes the council is seeking to achieve over the lifetime of the plan.
 - II. **Commitments:** these are key actions being undertaken to achieve the outcomes and will be updated annually.
 - III. **Measures of success:** these are indicators that will demonstrate if progress is being made towards the outcomes.
- 3.4 Some of the indicators are under review either nationally or locally, in terms of accuracy and availability of resources to collect data. Therefore the indicators will be reviewed as part of refreshing the Plan each year to ensure relevance and robustness.
- 3.5 In addition, under each priority the links to the relevant Sustainable Community Strategy priority and city partnerships are made.
- 3.6 The council's Constitution requires that Full Council agree the Corporate Plan.
- 3.7 The council's Governance Committee will receive an annual progress report and Full Council will receive a report, for approval, on the new commitments for each year. This will follow Budget Council.
- 3.8 It is proposed that the Corporate Plan be hosted as a live, interactive document on the council's website. This will allow the reader to access different levels of detail about the Plan according to their wish, as well be more environmental friendly. The electronic format will allow easy signposting to other information via web links. The Plan will also be available as a full text document and also a designed summary.
- 3.9 To communicate progress against the Plan and update the commitments the Corporate Plan will be refreshed, reported and republished online each financial year. This will also allow the plan to be live to internal, as well as external, developments such as the People Strategy.
- 3.10 Information about the plan will also be included in *The Boardtalk* (the Strategic Leadership Board's communication on *The Wave*), staff roadshows and the staff magazine '*Channel*'.

4. CONSULTATION

- 4.1 The following people were provided with the opportunity to comment and input into the Corporate Plan:
- Members of the staff forums
 - Members of the Overview & Scrutiny Commission
 - Political groups
 - Individual Cabinet Members
 - Corporate Management Team

- Strategic Leadership Board

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The funding requirements and related assumptions to deliver the Corporate Plan are set out within the Medium Term Financial Strategy (MTFS) attached as Appendix 1 to the report. The Medium Term Financial Strategy (MTFS) sets out the resource projections for the forthcoming three years, the financial challenges and opportunities that the council faces and the approach planned to meet the priorities set out in the Corporate Plan.

Finance Officer Consulted: Anne Silley

Date: 13/09/2011

Legal Implications:

- 5.2 As indicated in paragraph 3.6 above, it is the responsibility of Full Council to approve and adopt the council's Corporate Plan. However, it is appropriate and indeed normal practice, for Cabinet to formulate the final proposals in the Plan for submission to Full Council; this is reflected in the recommendation to this report.

Once Full Council approves and adopts the Plan, responsibility for implementation rests with Cabinet.

Lawyer Consulted: Oliver Dixon

Date: 13/09/11

Equalities Implications:

- 5.3 The council's Equality and Inclusion Policy is a key accompanying document to the Corporate Plan. The Equality and Inclusion Policy guides the council's approach to equality, diversity and inclusion. It explains the council's responsibilities and duties, and sets out how the council will meet them. This includes identifying the priorities of equality groups across the city and address equality implications of the Corporate Plan.

In addition, data from the Place Survey and the State of the City report has been used to inform the development of the Corporate Plan and the rolling programme of equality impact assessments by teams and service units across the council.

Sustainability Implications:

- 5.4 Sustainability implications for both council operations and city outcomes have been incorporated directly into the plan in particular the priority to 'build a more sustainable city' and to create a 'council the city deserves'. These have been informed by the State of the City report and recent work by the City Sustainability Partnership on ecological foot printing, as well as on going work by council teams for example, transport, parks, waste.

Crime & Disorder Implications:

- 5.5 Crime and Disorder implications have been incorporated directly into the plan in particular the priority to 'tackle inequality' and 'involving people'. The emerging Safe in the City Strategy has also informed the development of the Corporate Plan.

Risk and Opportunity Management Implications:

- 5.6 Risks and opportunities for the council and the city have been considered during the development of the plan significantly influencing the choice of priorities, for example, social and economic implications of not tackling inequality, the benefits and opportunities of better involvement of wider range of people.

Corporate / Citywide Implications:

- 5.7 The Corporate Plan sets out the overarching priorities for the council and provides the framework for developing service level outcomes and business plans, leading to individual work plans and performance reviews. It also communicates the council's priorities to external partners and highlights how council activity supports the aims of the city's Sustainable Community Strategy.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The Corporate Plan is the only document that provides a comprehensive overview of the council's priorities for the Comprehensive Spending Review period, and how it will manage all its resources - finance, people, assets - to deliver the priorities and the indicators it will use to measure progress.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The Corporate Plan is, as determined in the council's constitution, a key document forming the council's policy framework. Therefore it is required to be recommended by Cabinet and approved by Full Council.

SUPPORTING DOCUMENTATION

Appendices:

1. Corporate Plan 2011 - 2015
2. Medium Term Financial Strategy

Documents In Members' Rooms

None

Background Documents

None

BRIGHTON & HOVE CITY COUNCIL

**CORPORATE PLAN
2011-2015**

DRAFT

About This Plan

The Corporate Plan sets out Brighton & Hove City Council's strategic direction and priorities for the next four years. It describes how the council will help to deliver the vision of the city's Sustainable Community Strategy, by improving council services and through closer working with partners and residents.

This plan is in two parts:

Part One: identifies the council's corporate priorities and strategic outcomes for the next four years. It explains how these priorities have been identified and how progress will be measured.

Part Two: sets out the council's priorities for how the council itself is organised and resourced to deliver. This includes how it will manage its resources to deliver the priorities and contribute to achieving the aims of the Sustainable Community Strategy.

More detail about the activity of individual services and how they contribute to achieving the priorities of the Corporate Plan and the aims of the Sustainable Community Strategy is contained within the council's business plans.

The Council's Performance and Risk Management Framework is an important piece of the improvement jigsaw, ensuring that every member of staff has clear objectives that connect their contribution to the council's priorities. The business planning process links employee development with day-to-day tasks and service outcomes, right through to the Sustainable Community Strategy aims. This provides a 'golden thread' of work by individuals to the long-term vision for the city. Identifying opportunities and mitigating against risk is an integral element of each services business plan.

Annual progress against the plan will be reported to the council's Governance Committee.

If you would like more detailed information about council services and local democracy visit:

Web: www.brighton-hove.gov.uk

Facebook: www.facebook.com/BrightonandHoveCityCouncil

Twitter: @BrightonHoveCC

FOREWORD BY COUNCILLOR BILL RANDALL LEADER OF THE COUNCIL

I am pleased to introduce Brighton & Hove City Council's Corporate Plan for 2011/15.

Over the next few years the council faces a significant reduction in funding from central government. At the same time the city is experiencing considerable social, economic and environmental challenges, many of which are illustrated in the State of the City report.

To help protect front line services which support the city's most vulnerable people, we intend to raise council tax by 3.5 per cent for 2012/13. Financial pressures are affecting not just the council, but all of our partners, whether in the Public, Private or Community & Voluntary Sector. Therefore, along with our partners, local businesses, trade unions and residents, we are working to ensure public money provides value for money.

Over the next four years we will focus on **tackling inequality and working to create a fairer city**. Much has been achieved in ensuring equality of opportunity in Brighton & Hove. However, much more remains to be done. Key areas include creating jobs, improving housing standards and availability, ensuring children have the best possible start in life, improving public and social health care provision, boosting public protection, and reducing financial exclusion.

We also want to **create a more sustainable city**. Using 'One Planet Living' principles, we plan to set an example in the city by making our own operations more sustainable. Working with our partners we will take action to reduce carbon emissions, promote sustainable economic growth, improve the sustainability of our transport options, reduce the city's waste, and improve and protect the built and natural environment.

We will **engage more individuals and groups across the city** - whether they are service users, residents, members of community or voluntary groups, employees or employers, including our own staff, or trade union representatives. We want to encourage better participation in democracy, in community life, in the way we decide the future of our city. Everyone should feel pride in and responsibility for the place in which they live or work. This means ensuring genuine collaboration between the council and citizens, going much further than traditional formal meetings and procedures.

The priorities contained within this Corporate Plan are our contribution towards helping to achieve the vision for the city set out in the Sustainable Community Strategy

These are challenging times, but I believe that this should not limit our aspirations. We need to make the most of the city's resources by working better together and more creatively.

Whether you are a resident, a community member, a business owner, a trade union member, an employee of an organisation, or a visitor to Brighton & Hove, I want to hear your ideas about delivering our plan.

INTRODUCTION BY JOHN BARRADELL CHIEF EXECUTIVE

We have an ambition to become a 'Council the City Deserves' bringing the council closer to residents, businesses and visitors to achieve a stronger, healthier, thriving City. We aim to meet need, to innovate and improve the services we offer and to provide value for money in everything we do.

Improving services during a time of reducing resources and increasing demand is challenging. We have started the change to the way we work, creating an organisation providing services based on a robust understanding of our City, its people and businesses, their needs and aspirations. We have a better understanding of what works and what doesn't, and doing so within the means that we have.

It is not just about how we are organised. We need to properly recognise value and encourage the people working for the council, supporting innovation and improvement. We will do this working closely alongside our partners in the public, voluntary and community, and private sectors.

If we are to truly thrive and emerge from the current economic climate as a robust, forward-thinking and sustainable local authority we have to harness the ambition, energy and drive that powers our city.

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PART ONE

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PRIORITY ONE: TACKLING INEQUALITY

Introduction

We believe that everyone has a right to a decent home, a good education, a job that pays for a decent standard of living, good healthcare and to feel safe in their community. We also strongly believe that no one should be disadvantaged from birth due to the neighbourhood or family circumstances they are born into.

Although tackling inequality in all these areas has been a focus of national government and local councils for many years, some of our own neighbourhoods still suffer some of the highest levels of multiple deprivation in England. We recognise the negative effect that this has on people's life chances. We will take a more holistic approach to tackling these complex issues. Only by joining up a wider range of services and activities across the public, third and private sectors, and by prioritising resources for the most vulnerable people and communities can we tackle inequality.

We will work in a more joined up and creative way, so that our resources have the greatest impact possible and give the best value for money. We are keen to explore different ways to tackle these issues, which could be through co-operatives, mutuals or social enterprises. We want to continue to strengthen our involvement and work with partnerships across the city (from the Crime and Disorder Reduction Partnership, to the City Inclusion Partnership, to the Transport Partnership, to the Arts Commission) for the specialist expertise and innovation they offer, to help tackle issues of inequality.

We also know that to make our limited resources have the biggest impact it is important to ensure that this work is not short-term, and that we help to build resilience in our communities and help people feel less dependent on the state, whilst providing a safety net for the most vulnerable.

Our work to tackle inequality contributes to achieving the Sustainable Community Strategy priorities for:

- Promoting enterprise and learning
- Reducing crime and improving safety
- Improving health and well-being
- Improving housing and affordability
- Providing quality advice and information services

2011/12 Commitments

- Ensure that our children centres and nurseries are supported to provide the best start in life, having a focus on our most vulnerable families.
- Create a culture of collaboration between schools in order to raise standards, particularly in secondary schools.
- Redesign the way in which youth services are delivered to ensure young people have the opportunity to be active citizens through participating in community activities.
- Co-produce with partners a city Child Poverty Strategy to ensure a co-ordinated approach across public, private and Community & Voluntary Sectors to reducing family poverty.
- Work with the advice sector to reconfigure services to tackle financial exclusion for families and adults on low incomes, especially those subject to multiple disadvantage.
- Pay council employees a minimum living wage of £7.19 per hour and convene a commission on a living wage for the city.
- Actively support the development of community networks, shared values and co-operation within communities to support vulnerable adults.
- Ensure that major planning applications and key council decisions do not have a negative impact on the health of citizens.
- Create an inclusive Health & Wellbeing Board providing strategic leadership for the city and political accountability.
- Reduce unauthorised encampments on sensitive sites by locating a new, permanent site for Gypsy and Roma Travellers.
- Start a programme to fit solar photovoltaic panels on around 1,600 council homes to help cut Carbon Dioxide emissions and reduce residents' fuel bills.
- Work with our council housing tenants, housing associations and co-operatives starting our four year '1000 homes programme', to help address the city's affordable housing shortage.
- Create a new Equalities and Inclusion Policy and Action for council to include wider social and economic inclusion.

2011 – 2015 Outcomes

Children and young people have the best start in life

We want to ensure that all of our children and young people have the best possible start in life, so that everyone has the opportunity to fulfil their potential, whatever that might be, and to be happy, healthy and safe.

This means ensuring that all children and young people in the city have access to high quality education that will provide them with the knowledge and skills to secure employment and be active and responsible citizens. We will focus on raising overall attainment and narrowing the gap between the lowest and highest performing pupils. We will support all educational institutions (nurseries and children's centres as appropriate, schools, colleges and other educational institutions) in the city to work more collaboratively to achieve city priorities. We will continue to support healthy, creative, tolerant and high achieving schools that promote social responsibility. We will work with schools to meet the needs of children with complex needs and provide an inclusive environment.

The delivery of our schools capital programme through the council's strategic construction partnership is essential to achieve this. All our schools should provide safe, healthy environment for learning and development.

Continuing our close work with City College and other institutions, we will ensure, that for young people, choosing work-based training and skills development, the city offers a range of choices which help them compete in the local labour market. The council will lead by example through continuing its commitment to apprenticeships.

We recognise that life chances for some of our children and young people are uncertain. Growing up in poverty, often with complex home lives means some children need more help and support to recognise value and fulfil their own potential. We will continue to focus on prevention and early intervention and prioritise spend on preventing families falling into need, and helping them to get out and stay out of crisis. We will work to improve our integrated, multi-agency approach, providing holistic, tailored support especially for families where the quality of parenting is affected by adult substance or alcohol misuse, domestic violence or mental health or learning disability issues. We will continue to prioritise the safeguarding of all children and will rigorously monitor and improve safeguarding practice to protect children and young people. For vulnerable young people we will ensure they have support to make positive life choices especially young people at risk of committing crime and entering the youth justice system. Young offenders will be supported into suitable education, training or employment.

We want children and their families to be able to live as they wish; confident that services are high quality, safe and meeting children, young people's and parent carers' aspirations, and that life can be lived with independence, well-being, dignity and a sense of fun. To ensure this we will continue to prioritise prevention and early intervention. We will offer choice in the type of care individuals can chose to receive, offering personalisation to those that want it and appropriate support where desired to develop and build resilience amongst those who care for children and young people with additional and special needs.

We will work to reduce the number of children entering the social care system. For those who we have a corporate parenting responsibility for, we will ensure they have the highest quality of care and support and the best possible life chances. We will work towards being able to place as many children under the age of ten years old as possible with in-house foster carers. We will work closely with providers of adult care to improve our transitional support to young people,

ensuring no-one falls through the gap and with housing colleagues to support care leavers to live independently.

It is important that young people have the opportunity to take part in open, informal creative activity, designed and delivered wherever possible by themselves. Therefore we will work with our youth, sport and cultural services and partners across the city to ensure all young people are able to enjoy their leisure time using it constructively and creatively. We want them to be inspired and challenged to develop a positive attitude to their education, skills and learning and their ambitions for adult life.

We will ensure that we maximise the use and impact of the Community Stadium and Brighton & Hove Albion's successful community outreach programme to engage with some of the most vulnerable young people.

We will know we are making a difference if, by 2015 there is:

- Narrowing of educational attainment gap whilst improving overall attainment levels
- All our schools are judged good or outstanding by OFSTED
- Increase in the number of young people in out of school activities
- Reduction in the number of young people aged 16 – 18 who are Not in Employment Education or Training
- Reduction in the number of first time entrants to the youth justice system
- Reduction in rate of youth reoffending
- Increase in the number of young offenders in suitable education, training or employment
- Increase in take up of Disability Living Allowance and Severe Disability Allowance by working age clients with children
- Increase in stability of placements of Looked After Children
- Reduction in the rate of children who were the subject of a child protection plan per 10,000 children
- Reduction in the rate of children looked after per 10,000 children
- Reduction in the rate of children in need per 10,000
- Increase in evidence based family intervention work to better support children at risk
- Increase in the number of care leavers in education, employment or training
- Reduction in percentage of children under 16 living in households in receipt of out of work benefits
- Reduction in percentage of young people reporting frequent misuse of drugs/volatile substances, alcohol or both
- Reduction in the number of teenage pregnancies

Vulnerable adults supported to live healthy, independent lives

At a time of decreasing resources we will protect services for our vulnerable residents who rely on essential care and support from the council in particular vulnerable adults, families and those on low incomes. We will retain the balance between fulfilling our statutory duties and working proactively with partners, communities and individuals to provide personalised packages of care and support that help people maintain healthy independent lives.

We want people to be able to live as they wish, confident that services are high quality, safe and serving their need for independence, well-being and dignity. To ensure this we will continue to prioritise prevention and early intervention, and offer choice in the type of care people can choose to receive, offering personalisation to those who want it and appropriate day care where desired.

We will continue to check and review our care and support services to ensure equal access for all, recognising that our service users often require a range of support. We will increase our efforts to ensure that vulnerable adults are safe in all locations, whether in their own homes or in other settings. We will carefully vet and monitor all providers.

Helping people to maintain independence is not only about the care and support available to individuals but also about the homes people live in and the community support around them. We will make best use of council housing to help meet the needs of different service users, particularly where an individual or household needs a range of services. This includes making best use of our housing to help support the most vulnerable through schemes such as Extra Care Housing. We will continue to provide practical support to enable individuals to stay in their own homes for as long as possible. This includes ensuring that new homes meet lifetime standards.

We will prioritise our work with communities to develop low-level community support and social capital linking in with existing neighbourhood networks and activities.

We will continue to recognise the vulnerability of and inequality experienced by many individuals who provide care for other family members, especially young carers. They make an invaluable contribution to society and we recognise their support need.

We will continue our support for Community & Voluntary Sector organisations as service providers, and as advocates and voices for our most vulnerable citizens.

Also, working with our partners we will seek to ensure the environment is safe and secure. This means not only people's homes but also the streets, roads, parks and open spaces around them. We will work with partners to ensure the city has accessible, reliable and affordable transport, that people have access to local services and high quality amenities and that the public realm is inclusive, clean, safe, and clutter-free.

We will know we are making a difference if, by 2015 there is:

- Increase in the proportion of people taking up self-direct support
- Increase in the percentage of people supported to live independently through social services
- Increase in the percentage of people receiving Supporting People services who have established or are maintaining independent living
- Increase in the number of carers receiving needs assessment or review and specific carers service or advice and information

Decent, affordable, healthy housing

We will work more creatively with a wider range of partners (Brighton & Hove Seaside Community Homes, housing cooperatives, housing associations and private sector landlords) to help residents find secure, affordable, high quality housing and prevent homelessness. We will continue the council's commitment to improve the quality of existing council homes, including the quality of our repair and maintenance service.

Like many cities, thousands of people are unable to access the housing they need, either to rent or buy. Demand for council and housing association homes far outweighs supply, as does the availability of appropriate and good quality private sector housing.

Tackling this demands multiple actions including identifying opportunities to build homes on council land and bringing empty properties in the private sector back into use quickly and efficiently. We will also work with private landlords and the universities to improve standards of properties and establish an ethical lettings agency.

We are committed to improving the energy efficiency of the city's housing stock across all tenures, reducing the cost of living at a time when energy prices continue to rise. We will help individuals to access affordable finance to install energy efficiency measures, especially people on low incomes. This will help tackle fuel poverty and contribute to reducing the city's Carbon Dioxide emissions.

Of great importance is vigilance to the risk of homelessness that many of our residents face in these financially challenging times. We will continue to work with partners to help those who find themselves at risk of homelessness. For those who do, we will minimise the disruption, especially for families and young people, helping them into secure, affordable decent housing as swiftly as possible.

We will know we are making a difference if, by 2015 there is:

- Increase in the number of council homes meeting Decent Homes Standard
- Increase in the supply of ready to develop housing sites
- 10% of all new affordable housing meet wheelchair standard
- 155 empty homes brought back into use per year
- Reduction in the number of people living in fuel poverty¹
- Increase in the energy efficiency of local authority owned homes
- Increase in the number of households where homelessness was prevented due to casework by the council'

Reduce health inequalities and long standing public health issues

Life expectancy should not be determined by wealth or postcode. Poor housing, poverty, poor diet, air pollution and unemployment are but some of the pillars of health inequality. The major contributors to ill health and premature death (among them alcohol and drug abuse, smoking, obesity) buttress this health inequality, particularly in the more deprived areas of the city. All council services should then be contributing to a healthier city and a reduction in inequalities through initiatives on housing, employment and education as well as promoting a healthier lifestyle.

Working with partners, we will focus on supporting people's health and wellbeing – both physical and mental health - as well as creating a healthier environment. This will include promoting the healthy schools initiative and reducing bullying; improving thermal quality of new and existing homes; establishing a core network of safe cycle routes in the city; improving public spaces and firm but fair enforcement of environmental health and licensing standards.

We will increase the impact of our partnership working to tackle the causes and symptoms of alcohol abuse, and seek to strike the right balance between recognising the economic value of our night-time economy with the need to protect the health and safety of visitors and residents. We will undertake a licensing review and maximise any new powers gained through the Localism Bill to manage the availability of alcohol. We will continue our focus on tackling alcohol-related

¹ Indicator currently under review by National Government

crime and disorder, and with the NHS, on providing high quality and accessible treatment services.

We will deliver the Health Protection Action Plan to reduce the misuse of substances, and of related crimes and anti-social behaviour, and help individuals access and complete treatment programmes.

We will continue with high profile enforcement of food and health and safety rules, maintaining our excellent record of environmental health improvements.

Planned reforms to the NHS will see the return of public health responsibilities to the council. We will establish an inclusive Health and Wellbeing Board providing strategic leadership for the city and political accountability. We will work closely with NHS colleagues in the emerging Clinical Commissioning Group to tackle these problems together.

We will know we are making a difference if, by 2015 there is:

- Reduction in differences of life expectancy between communities. This is to be measured by a slope index of inequality in life expectancy, separately for men and women (Healthy Life Expectancy);
- Reduction in the number of alcohol-related hospital admissions and alcohol-related deaths;
- Reduction in the rate of drug-related deaths;
- Increase in the number of drug users who complete 'effective treatment' and become drug free

Access to quality employment with wages that pay for a decent standard of living

Being without work is one of the greatest inequalities, and supporting local companies and small businesses is a key priority. We have had a strong economy buoyed by a healthy entrepreneurial spirit and a high number of businesses per person in the city. We will continue to enable business support activity and improve the use of council assets, empty shops and offices, bringing them into use as workspace for small and medium sized businesses.

We will continue to play our role with city partners to sustain and create jobs. We will focus on existing economic strengths (tourism, retail, culture, digital, media and creative industries) whilst encouraging diversification, for example into the growing environmental products and services sector. We will develop an 'investment prospectus' for the city and a new sustainable economic strategy, as well as ensuring that all school leavers are equipped to enter training, employment or to continue their education at a higher level. We will continue to work with employers to develop and widen local training and development programmes, ensuring the skills of our workforce match those which are needed for the economy.

Some people in the city have difficulty getting work, due to poor mental health or lack of skills. Working with our partners we will support these individuals into employment. As part of our community learning programme we will increase access to learning for adults. For others, access to work or training is blocked by the lack of flexible and affordable childcare. We will ensure that support for childcare is targeted on the most disadvantaged children.

Working as a member of the Advice Partnership we will take action to promote financial inclusion. This means we will help to ensure that households have enough resources to meet basic need adequately and to be able to make choices over a prolonged period to maintain physical and mental wellbeing and participate in community life.

We will support the Community & Voluntary Sector by using and promoting their services, recognising its economic and social value to the city.

We will know we are making a difference if, by 2015 there is:

- Increase in the percentage of adults with learning disabilities known to the council in paid employment
- Increase in the percentage of adults receiving secondary mental health services who are in paid employment, self-employment or supported employment
- Increase in the percentage of the population qualified to at least Level 2,3 and 4
- Increase in the take-up of formal childcare by low income working families

Culture and leisure opportunities for all

The city has a reputation as a cultural leader. Our arts, culture and heritage offer is central to the city's economic health. For residents of all ages, access to arts and cultural activities can change lives, improving individuals' skills for employment and life chances, broadening horizons and promoting understanding of ourselves and others. Although a relatively high percentage of the population take advantage of the city's arts, cultural and heritage opportunities, more can and will be done to encourage those who don't. We will use significant national and regional events, such as the 2012 Olympic and Para-Olympic Games, to build and promote inspiring programmes of activity that encourage more residents to get involved in art, culture and sport.

We will continue to support cultural events and organisations that seek to engage all sections of our community and promote more sustainable, accessible, affordable or free activities, such as the huge range of festivals happening across our neighbourhoods. Partnership working with the Community & Voluntary Sector is critical to our cultural success. We will promote and preserve our unique heritage sites and buildings, ensuring patronage and appreciation by residents and visitors alike. We want all residents to share in the life of the city.

We will know we are making a difference if, by 2015 there is:

- Increase in the percentage of the adult population that has engaged in the arts at least three times in the past 12 months
- Increase in adult participation in sport and active recreation
- Increase in the percentage of the adult population who have attended a museum at least once in the last 12 months

Cohesive and safe communities

Our city has an international reputation as an open, fair and cohesive place. This has not come about by chance, but has been developed through partnership working between the public, private, and community and voluntary sectors. Together we aspire to stamp out discrimination, hate crime and domestic and sexual violence and improve support for those who have been subjected to it.

Law and enforcement have an important part to play in pursuing this goal, but equally we must capitalise on the creative and cultural expertise in the city using new ways of raising awareness, eradicating fear of reporting and tackling prejudice and intolerable behaviour.

The council will lead by example. We will strengthen our already strong equality commitments and ensure full compliance with our Equality Impact Assessment policy. This means our services are provided in an accessible and responsive way to our diverse communities and that all decision making fully considers the potential impact on all equality groups.

We continue to prioritise work that helps us to understand the city's communities, and supports organisations and communities to appreciate and value the diversity of people's backgrounds. We will support and promote stronger, more positive relationships between and within different communities using our community buildings, such as our libraries.

The city has effective partnership working in community safety and through our constant drive to deliver a more effective and integrated system, bringing down crime rates, tackling anti-social behaviour and making the city feel safer. However, there is always more that could and should be done, including ever closer working between organisations, communities and residents. We will continue to play a strong active role in the city's Community Safety Partnership, supporting the delivery of the new Safe in the City Strategy 2011-2014.

We will know we are making a difference if, by 2015 there is:

- Increase in the percentage of people who believe that people from different backgrounds get on well together in their local area
- Increase in the percentage of people who think that not treating one another with respect and consideration is a problem in their area
- Increase in the percentage of people feeling safe in the daytime and after dark in their local area
- Reduction in levels of domestic violence²
- Reduction in racist and religiously motivated hate incidents and crimes³
- Reduction in disability motivated hate incidents and crimes⁴
- Reduction in LGBT motivated hate incidents and crimes⁵

² Indicator often increases as a result in efforts to increase reporting of these crime

³ Indicator often increases as a result in efforts to increase reporting of these crime

⁴ Indicator often increases as a result in efforts to increase reporting of these crime

⁵ Indicator often increases as a result in efforts to increase reporting of these crime

PRIORITY TWO: CREATING A MORE SUSTAINABLE CITY

Introduction

Creating a more sustainable city means protecting and enhancing the environment, meeting social needs and promoting economic success.

We will be using the One Planet Living⁶ Framework to guide our actions toward a more sustainable city. The One Planet Living approach to sustainability was developed by Bioregional and WWF to help people and organisations live and work within a fair share of our planet's resources.

Research shows that in order to achieve this we need to work on reducing our ecological footprint, with particular focus on carbon emissions, transport, food, waste and the materials we use. So, for example, we need to rethink how we create and use energy, how we move our goods and ourselves around the city, and how waste and materials are produced, used and disposed of. We are also committed to continuing our work to promote a Fair-trade city.

Creating a more sustainable city is not just about protecting the environment but supporting new industries within a resilient economy. Brighton & Hove is a city with a reputation for innovation and, with businesses; we would like to create a low carbon city, taking advantage of opportunities for real change such as the proposed 'Rampion' offshore wind farm. With partners we will produce a new Economic Strategy for sustainable growth.

We want to develop the next phase of our economy, becoming a UK leader in eco-tourism. The tourism sector provides 17,000 jobs in the city with an economic value of £700 million. We will provide public leadership to promote collaboration between key business sectors to generate growth and create new jobs. Many businesses that locate here are attracted not only by the economic opportunities, but also by the quality of the local workforce and the quality of life.

We will encourage regeneration and new investment in the city through the development of an investment prospectus and by redrafting the Core Strategy to create a 'City Plan' with sustainability at its centre. We will also set new standards to ensure development is more sustainable. For example, we will be the first council in England to adopt a Planning Advisory Note providing guidance on food growing in new developments.

Achieving UN Biosphere Reserve⁷ status will be a major focus. This means working towards making Brighton & Hove a high quality natural environment where a balanced relationship exists between people and nature. We will continue to work to create a better urban environment, fostering pride in the communities in which we live, and to protect and make the most of all open space in the city, creating a stronger link between the sea and the South Downs.

As well as preparing economically for the future, the city must also adapt to the impacts of climate change. For example, the severe winters that we have experienced in recent years affect critical services, such as delivering food, medicine and personal care to the most vulnerable people. The city's Climate Change Strategy⁸ will provide the strategic framework to promote significant reduction in carbon emissions and help us to prepare for the effects of

⁶ One Planet Living is a jointly owned trademark of BioRegional Development Group and WWF International, www.oneplanetliving.org

⁷ Official recognition by UNESCO of an area that promotes sustainable development based on local community efforts and sound science.

⁸ To be published in December 2011

climate change. Our position on the coast and the potential for flooding and coastal erosion means that homes, buildings, and infrastructure require protection.

We will capitalise on significant national and regional events, such as the London 2012 Olympic and Paralympic Games, to promote the city as a place to visit. We will also use the enthusiasm that surrounds such events to encourage residents to get involved in the cultural and leisure opportunities of the city

Key to creating a sustainable city is the strength and commitment of our city partnerships. The City Sustainability Partnership is critical to spearheading the new changes as well as other partnerships, such as the Housing, Transport, Economic and Food Partnerships, which are fundamental to delivery.

Our work to build a more sustainable city contributes to achieving the Sustainable Community Strategy priorities for:

- Promoting enterprise and learning
- Living within environmental limits and enhancing the environment
- Providing sustainable transport

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2011/12 Commitments

- Redraft the Core Strategy to support the new corporate priorities and outcomes, in particular sustainable transport and housing delivery
- With the business community create a new Economic Strategy, a blueprint for sustainable economic growth, and publish an investment prospectus
- Launch the city's first eco-tourism strategy
- Produce the city's Climate Change Strategy for developing a low carbon city that is adapting well to climate change
- Offer greater choice in how people move about the city, prioritising action in the new Local Transport Plan to support a fairer balance between all road users.
- Begin establishing a coordinated programme of 20 mile per hour speed limits in consultation with residents
- Review the effectiveness and impact of current parking schemes on the city, for residents, businesses and visitors
- Increase and make safer cycling routes in the city such as Old Shoreham Road and The Drive/Grand Avenue
- Review the Municipal Waste Strategy and develop plans for a food waste collection and communal recycling trials, and implement a community composting scheme
- Reduce the council's ecological footprint by installing solar photovoltaic panels on schools and council buildings, setting tough targets and working towards One Planet Living endorsement
- Develop a 'carbon budget' for the council to be reported alongside the financial budget, providing accountability in our carbon emissions from 2012/13

2011-2015 Outcomes

A strong and low carbon economy

Thanks, in large part, to Brighton & Hove's reputation, growth and innovation the city has not been as hard hit as some areas of the UK by the recession. But the economy is still fragile and we must not be complacent. We want to help forge economic recovery by working with businesses, both major established employers and new start up companies, to help weather the downturn and take advantage of new opportunities as they arise. Together we will develop a new Economic Strategy for the city that will deliver sustainable growth and job creation.

The city's economy benefits greatly from tourism (particularly UK visitors but increasingly from Europe) attracted by the wonderful historic architecture, the unique shopping experience, the city's inclusivity and its cultural and entertainment offer. While this is important to the future of the city, we have arguably not promoted one of our best assets, the South Downs. We will work to become one of the UK's leading destinations for eco-tourism, reflecting the growing maturity of the city as a tourist destination. We will continue to capitalise and support the uniqueness of our seafront whilst creating a stronger visitor experience between the city and the South Downs.

Working closely with the business community we will focus on developing a low carbon economy, improving the city's environmental performance, reputation and inward investment offer. We will seek to capitalise on the growing environmental industries and services sector and focus on supporting and growing the city sectors and clusters that support the UK transition to a low carbon future, including our creative, digital and technological businesses.

The creative industries are not the largest sector of our economy but they are the fastest growing and we can learn from their success, particularly how they communicate effectively with each other through networks such as 'Wired Sussex'. Small businesses (those of fewer than 10 people) account for the majority of employers in the city. Small and start up companies need suitable and affordable workspace if they are to establish, thrive and importantly to remain here.

The source of our food and disposal of food waste is an issue for both residents and visitors alike. The food industry plays an important role within our tourism economy and we will focus on working closer with the industry, including its supply chain, to improve sustainability standards whilst promoting growth.

Forging ever stronger links between the council, the two Universities, the Teaching Hospital and the business sector is paramount. Many of the departments are leaders in their field and we will enable greater interaction between business and academia.

The city remains one of the UK's leading conference destinations. The council has long been a host and beneficiary through the Brighton Centre. Unfortunately, our plan to rebuild the Brighton Centre, to provide state of the art facilities and maintain the viability of the city as a conference destination, has been stalled by the recession. We will invest in the current building to reduce its carbon footprint, through improved environmental management and through plans we draw up for its future.

We will know we are making a difference if, by 2015 there is:

- Reduction in the percentage of the working age population claiming out of work benefits
- Increase in the percentage of small businesses showing a year on year increase in number of employees

- Increase in the number of new business registration for VAT and PAYE per 10,000 resident population aged 16 years old and over
- Growth in number of digital media businesses
- Growth of the environmental industries sector⁹
- Increase the number of businesses relocating to the city
- Increase the number of tourism businesses that have green accreditation
- Increase conference income
- Reduction in Carbon Dioxide emissions per capita (domestic, industrial, commercial and road transport)

A fair balance between the needs of pedestrians and cyclists, public transport users and motorists

The council has achieved recognition as ‘Transport Authority of the Year’ for demonstrating excellence, innovation and progress. We want to do more and become an exemplar in transport policy and practice.

Road vehicles are the greatest contributing factor to poor air quality in Brighton & Hove. Traffic congestion has a detrimental effect on the quality of life of residents and people’s perception of the city as an accessible, safe and enjoyable place. Working with transport providers we intend to improve choice, making cycling and walking a safer and more pleasant experience and public transport an increasingly convenient and effective alternative to personal car use.

The number of residents who cycle to work in the city is in line with the national average. Whilst good, as an official Cycling Demonstration Town and more recently a ‘Cycling Town City’ we should be doing better. We will use good practice, nationally and internationally, to encourage more people to be confident and safe when moving about the city, offering sufficient and secure cycle parking.

We will undertake a review of parking schemes in the city to ensure a fair balance between the needs of residents, businesses and visitors. We will also work to improve the visitor experience of getting in and around the city, including as part of our eco-tourism strategy getting to and from the South Downs.

We want our children to be safe on the roads and have a viable alternative to being driven to school in a car. We will work with governing bodies to revise travel plans for all our schools to ensure they focus on improving the health of our children, through increased walking and improved air quality. This will also serve to reduce the number of car journeys, reducing congestion in neighbourhoods and the risk of road traffic accidents.

We will know we are making a difference if, by 2015 there is:

- Increase in the number and proportion of cycle trips
- Increase in cycle parking across the city
- Increase in bus patronage originating in the local authority area
- A higher proportion of access to employment by public transport
- Increase in the percentage of bus services running on time
- Reduction in airborne particulates and nitrous oxide in local authority area
- Reduction in Carbon Dioxide emissions per capita (transport only)

⁹ Indicator under development by BHCC Economic Development & Enterprise

- Reduction in the number of adults and children killed or seriously injured in road traffic accidents

A low waste city

We want to ensure that, working with residents, businesses and partners, we minimise the total amount of waste produced, and maximise reuse and recycling of the remaining waste.

Over the last few years, whilst domestic waste levels have been declining, recycling levels in the city have been static. Whilst, education remains important in order to encourage more people to reduce, reuse or recycle waste to increase recycling we need to relook at the services we provide. We will be planning food waste collection and communal recycling trials and community composting schemes. Residents will be involved in designing these schemes to see what works best, is affordable and can be rolled out across the city.

Domestic waste is only a part of the overall picture. Construction and commercial waste makes up a significant amount of the waste produced in the city. We already work with the business community to encourage recycling and we will investigate the feasibility of providing a commercial collection.

We will know we are making a difference if, by 2015 there is:

- Decrease in overall levels of domestic waste produced in the city
- Increase in the percentage of domestic waste recycled and composted
- Decrease in the percentage of domestic waste sent to land fill

A healthier and higher quality built environment

Despite the recession, the city is growing. In 2010/11 the planning application rate in the city was at the highest level for the last five years. Some major developments have been delayed but, at the same time, a community stadium had been built and re-development of the Open Market is underway.

The council is responsible for ensuring that all planning applications within the city comply with planning policies laid out in the Core Strategy and national planning guidance. We will push for high quality, sustainable new buildings and new housing within the city by producing our own guidance on minimum design standards. The success of One Brighton¹⁰ demonstrates that sensitive and sustainable regeneration of sites can be achieved and is economically viable.

We are revising the Core Strategy to plan for a resilient and sustainable city over the next 20 years, as well as to protect employment and green space, and push for new housing. We are working with housing cooperatives and social landlords within the city to find sites for 1000 new homes over the next four years. We will continue to identify space for new housing on all council owned housing estates within the city. We must plan and use the limited space that we have for effective, efficient and sustainable growth.

¹⁰ One Brighton is one of the country's first environmentally and socially sustainable 'One Planet Living' communities.

We will look at how we use and manage our assets, at underused or empty council owned buildings and land, to create new and affordable workspace. We will make it easy for businesses and communities alike to see what and where we own buildings and land.

We are responsible for maintaining and developing the 'public realm' ensuring it is safe, clean and accessible for all users. This includes many of the city's roads, public spaces and council housing land. The council provides essential services such as street lighting and signage, and other facilities like benches and public toilets as well as street trees. Working with businesses and residents we will explore how to improve the quality and cleanliness of the public realm, the environmental impact of these services, while reducing costs.

The built environment affects the perception of the city as a safe and welcoming place – both for those who live and work here, and for those who visit. New Road is a model of good practice, balancing the needs of different road users and becoming a community space, and we will seek to make this happen in other parts of the city. We will continue to improve and enhance the public realm and work with community groups, across the city, to preserve our architectural heritage.

As the density of the city increases, demand and use of parks and open spaces escalates. The city is very fortunate to have an extensive estate of urban gardens, parks and squares and we will continue work to ensure they are attractive, inclusive, safe, clean and support wildlife. For example the council has submitted a £2 million bid to the Heritage Lottery Fund for The Level. Many of our parks and spaces benefit from the support of local communities and all play a key part in supporting the health and well being of our residents. The majority of our open spaces have a long heritage and when we seek to improve or adapt them we will always consult with the widest range of users possible to ensure those plans fit need.

Demand for allotments is high and increasing. The benefits of 'growing your own', working on the land and enjoying the exercise is increasingly popular. We have a range of sites across the city, the majority of which are over-subscribed and well managed. We will encourage their use and seek to increase their availability as well as explore new community growing spaces.

We will know we are making a difference if, by 2015 there is:

- Consistent high level of user satisfaction of council parks
- Increase in the proportion of approved planning applications for new build (residential) development committing to high standards of environmental design
- Reduction in the number of conservation areas at risk
- Reduction in the number of listed buildings at risk
- Reduction in complaints regarding appearance of sites/buildings
- Increase in the number of allotment plots available and reduction in the number of residents awaiting a plot

Protection and enhancement of the city's natural environment

Brighton & Hove's close mix of natural and built environments is unique in many ways, and we want to ensure that the city is and remains a rewarding place for residents, businesses and visitors alike. We will foster a mutual relationship between the urban environment and nature, encouraging people to interact with and conserve natural habitats and wildlife wherever they are. Using our own assets we will preserve and increase biodiversity, including reinvigorating the Downland Initiative.

We will work to achieve UN Biosphere Reserve status. Designation as a Reserve would attract resources to find new ways of addressing the economic and environmental issues facing the city. Research shows that this status attracts economic investment.

Part of the work on Biosphere Status includes ensuring access and raising awareness of the great range of environments on our doorstep to enjoy. We want to instil a culture where children and young people from all neighbourhoods within the city enjoy the opportunities and the health benefits that open space affords. Education about our environment, for children and adults alike, is crucial and our schools have an important role to play.

We will maximise the opportunities our city location provides. With only three miles between the sea and the South Downs at the widest point we want to become renowned as an eco-tourism destination, surpassing our traditional reputation as a 'London-by-the-sea'. We will take full advantage of having a new National Park on our doorstep, and work with partners to reclaim the city's two blue flag awards.

With partners, we will take action to protect the city's water supply with our focus being on preventing pollutants in the groundwater, minimising the loss of clean water at source and reducing water demand. We will take advantage of the pilot study under way in the catchment area of the Adur and Ouse rivers.

We will know we are making a difference if, by 2015 there is:

- Maintain the condition of city's two Sites of Special Scientific Interest
- Improvement in groundwater status

Dignified and decent treatment of animals

The council is a significant owner of open land surrounding the city, much of which is leased and used for farming. We commit to help protect wildlife on all of the land that we own, tenanted or not, and to manage the impact of human activity on natural habitats and prevent persecution of animals in the wild.

We will continue to use our influence in relation to circus animals and those in captivity, seeking to promote and improve the rights of all creatures. This includes the rights of domesticated animals, whose welfare and quality of life we will seek to protect. In respect of livestock we seek to ensure the most rigorous health and safety standards and that humane practice is applied.

We will continue to provide advice and support to residents and businesses to prevent circumstances where animals pose a risk to public health. Where we do intervene we will ensure that we do so humanely, with minimum distress caused to animals.

We will know we are making a difference if, by 2015 there is:

- Continue to meet the standards for the control system for animal health

PRIORITY THREE: ENGAGING PEOPLE WHO LIVE & WORK IN THE CITY

Introduction

The council does not and should not work in isolation. We value engagement and are committed to continuous improvement. From how we provide information about the council – how it is run, the services we provide – to opportunities for residents, community and voluntary groups and businesses to influence and take decisions.

Not only do we want people to feel they can talk to the council and be heard, but we want them to be actively involved. We will collaborate with individuals and communities – including the business community – to find out how we best meet their needs, tackle issues and create a city that we are all equally responsible for and proud to live, work and socialise in.

We want to build stronger, healthier, more active and productive relationships between the council and people who live and work in the city. We will provide more opportunities for co-production and invest in building social capital and promoting volunteering. Involving and working as equal partners with citizens and communities is how we do business. It will be key to the success of the UN Biosphere Reserve, the city parking review, and tackling health inequalities.

Right now, the reality is that, like many other authorities, we struggle to truly reach and engage all sections of the community. Some of our structures and processes are overly staid and formal, public but poorly attended, without the flexibility and responsiveness to allow a conversation with communities on their own terms. Some, though, work well and we must make this the rule and not the exception.

We recognise the recent phenomenon of social media as an easy and immediate way to talk, share and also to campaign. We have responded – improving how the council can be lobbied through online petitions and now residents can make an enquiry through Twitter. But we must keep pace and innovate, drawing on the expertise that exists here in the city – creative people and creative organisations – to help us find new ways to engage.

We will actively work to strengthen local democracy and improve the quality of democratic conversation in the city. In the current climate of decreasing resources and the need to prioritise spending, improved engagement is not only an ideal, but a necessity. We must ensure that spending is directed to the right place at the right time for the right purpose. Therefore we must strengthen and bring together both the role of political debate and decision taking with civic discussion and accountability; providing support and building capacity of citizens and communities to participate.

Key to improving council engagement activity is our involvement in the Stronger Communities Partnership. Working as a collective of partners from the community and voluntary sector and public organisations, the Partnership is responsible for driving up the quality of community engagement in the city. In particular, it is focused on ensuring statutory and community and voluntary organisations meet the standards for engagement as set out in the city's Community Engagement Framework. The Partnership is also taking forward actions to develop the capacity for organisations and communities to carry out high quality engagement. The Framework was approved by the Brighton & Hove Strategic Partnership in 2009 and the Stronger Communities Partnership is currently updating the Framework actions, with the council's full support.

Our actions to improve the involvement of all individuals and communities support the Sustainable Community Strategy priority of 'strengthening communities and involving people'.

2011/12 Commitments

- Improve the council's online offer to residents by expanding the range of fully web-enabled transactions and make progress towards a website that can be personalised by the customer
- Support residents to self-serve and access services more locally by widening the Council Connect services to more locations and venues across the city
- Work with communities to provide them with the power to directly influence services in their neighbourhood by piloting new approaches for neighbourhood governance
- Work with private sector and community and voluntary sector partners, and members of the community to trial new ways of bringing community forums and online forums together
- Explore how, through Scrutiny, we can improve the council's engagement with council housing tenants
- Remove restrictive terms and conditions from the council's online planning and licensing application registers and meeting webcast system.
- Ensure school governing bodies are supported to engage with the council's priorities
- Have an open budget book
- Most inclusive budget setting process to date for 2012/13 budget

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2011 – 2015 Outcomes

A council that is easy to contact and demonstrates that it listens to residents

The council's 'Customer Promise' says that the council will be easier to reach, clear and respectful, and listen and act. We will continue to embed this promise across all parts of the council.

We have signed up to an open data approach, but recognise that not everyone can access or wants this. We will provide information in the most appropriate format with the option of full data sets where available. We will continue to respond to where the majority of citizens go to for information and to communicate; we will review and improve our communications focusing on improving our website and using social media to its maximum effect.

We are committed to ensuring that people have the opportunity to be part of and influence service reviews and redesign. This includes providing them with support and building their capacity to participate. Individuals and communities know what works and what doesn't and can help us ensure public funding makes maximum impact. 2011 will see the most in-depth budget consultation the council has undertaken, and which we will build on every year.

Following a consultation by our libraries staff with over 2,300 customers, feedback has been taken directly on board and resulted in changes that will be rolled out across all libraries. This will improve the effectiveness of libraries in their traditional function as a provider of books but also strengthen their role as community hubs, with new IT facilities, toys for children, refreshments and study space.

As a local authority with over 12,000 council housing tenancies, we are committed to ensuring that all tenants' voices are heard. We will offer a wider choice in how they communicate with us, going further than formal structures.

Our commitment to enabling young people to have an active role in the services that affect their lives, their communities and the city they live in is unwavering.

We will know we are making a difference if, by 2015 there is:

- Increase in customer satisfaction levels

Resilient and Vibrant Community & Voluntary Sector

We recognise the significant value and benefit that the Community & Voluntary Sector provides to our city. We are fortunate to have a thriving Community & Voluntary Sector, with over 1,600 active organisations, from small community-based grass roots organisations to branches of large national charities, to locally grown social enterprises. As well as being key service providers and service users' advocates, the Sector plays a significant role in facilitating and increasing volunteering in the city. There are 19,200 volunteer positions in Brighton & Hove, giving 57,600 hours per week. If volunteers were paid the same rate as workers in the Community & Voluntary Sector their annual salary bill would be worth £24 million - a huge donation of time and effort.

We will work in partnership with community and voluntary sector staff, volunteers and Trustees, to ensure the Sector's resilience and effectiveness through these financially challenging times. The Sector plays a key role as advocate and conduit for some of our most vulnerable citizens

and communities. Its participation in the city's decision making structures including the council's is a key strength of the city engagement picture. We will continue to support its role in decision making and the review, design and delivery of council and city services.

We will know we are making a difference if, by 2015 there is:

- Increase in percentage of Community & Voluntary Sector organisations that feel positive or very positive about how local statutory bodies influence their organisation.
- Increase in percentage of people who take part in formal volunteering

Improved collaboration between the council and communities

We are committed to the principles of community development and actively building the capacity of communities to find solutions for themselves, which may or may not involve public bodies. We want to turn public services inside out and rediscover the human resources within our communities and harness their social networks and activism that will make public service activity more successful and sustainable. We recognise that 'community' is a highly mobile term and that individuals can relate to several different communities at the same time – geography, interest, identity and we should be sensitive to this when carrying out any type of engagement activity.

Key to more successful collaboration with communities is a more co-ordinated and joined up approach by public bodies and our ability to use and build on engagement routes and activity that already exists. We will continue to strengthen our joint work with communities and Sussex Police on neighbourhood policing and environmental improvements.

We will start with exploring the risks and opportunities that neighbourhood plans, as proposed in the Localism Bill, might have for neighbourhoods.

We will reinvigorate our policy on community asset transfer to ensure we are using council assets to support and encourage community activism, working in partnership with communities to reduce risk and ensure sustainable benefit.

We will know we are making a difference if, by 2015 there is:

- Increase in percentage of people who feel that they belong to their local neighbourhood
- Increase in percentage of people participating in decision making groups that affect their area

Improved council engagement with businesses

Much of our focus, quite rightly, is on engaging and working with individuals as residents and service users, and with communities. In the current financial climate we will increase our focus and quality of engagement with businesses. Through continual improvement in our understanding of and collaboration with the business community we can ensure we have a robust strategy for sustainable economic growth.

We will know we are making a difference if, by 2015 there is:

- Increase in number of businesses represented and involved in council and city planning and decision making

A more open and transparent council

The council is a politically and democratically led organisation and elected members represent citizens of the city. We will take action to make it easier to be involved with the decision-making processes of the council. We will promote the role of scrutiny and encourage people to participate in scrutiny reviews. We will review the current decision-making structure and see where improvements can be made, taking advantage of national Government's proposals in the Localism Bill including neighbourhood planning, neighbourhood councils, and the option to reinstate committee style decision making.

We will use open data formats and licensing for the publication of council information, reports, data and media. We are proud of the 2011 State of the City report which, for the first time, provides an easy to digest statistical view of city, backed by raw data available to the public.

Importantly, we will ensure that we meet the duty of the Equality Act (2010) that 'the public and voluntary and community sector organisations have the opportunity to review published council data before public bodies set their equality objectives in April'. We must give people two clear months in which to review the data.

National government has abolished many of the external auditors of the council however we remain committed to being locally accountable and therefore will, annually publish an update on the city performance plan as well the council's organisational health report.

We will know we are making a difference if, by 2015 there is:

- Increase in the number of petitions submitted to council
- Increase in webcast views of council and cabinet meetings
- Increase in the number of public questions and letters to Council and Cabinet meetings
- Increase in the percentage of people who feel they can influence decisions in their locality

PART TWO

A RESPONSIBLE AND EMPOWERING EMPLOYER

Introduction

We value the contribution made by all colleagues within the organisation and our partners across the City who together seek to plan and deliver the best possible services to the residents of Brighton and Hove. When the economy is challenging and resources are stretched we understand the additional burdens that are placed on our colleagues. In these times we rely on them even more to continue to perform consistently well and to give their best.

Some of the values that staff portray and that are important to us as an employer include:

- Fairness and equality
- Respect, openness and trust
- Openness to innovation and change
- Sustainability and continuous improvement

In summer 2011, as part of developing the council's 'People Strategy', we engaged colleagues in a conversation on four themes: our changing environment, our changing culture, the quality of our working lives and organisational effectiveness.

By listening to what people tell us, looking at the facts and figures and considering the transformation with which we are currently engaged, the new strategy will describe the climate and conditions we need for us to continue to thrive as an organisation.

The People Strategy will:

- Support the delivery of this Corporate Plan
- Ensure that our organisation internally reflects our aspirations and ambitions for the city
- Create a new strategic framework for employment, behaviours, performance, management and development

We will be refining our Performance & Risk Management Framework and undertaking an in-depth review of the way we manage learning and development to ensure they support the People Strategy. Both will also be closely linked to make sure that we focus our learning and development resources on the needs of the organisation as a whole.

In April 2011 we introduced a new strategy for improving attendance at work. This strategy places greater emphasis on early intervention and problem solving and is supported by early referrals to occupational health services and regular monitoring for evidence of the negative effects of stress. We plan to assess regularly the impact of the new strategy with a view to improving the level of attendance across the organisation.

Local Government has and will most likely continue to experience constant change; therefore we will strengthen how we manage change and support people. We will develop a new Change Management Strategy that will improve internal communication and ensure the right learning and development opportunities are in place. We also realise the importance of strong Human Resource support for managers and colleagues during change and will be reviewing and ensuring that what we have in place is appropriate.

We will also build flexibility into our approach to job roles and descriptions, providing staff and managers with sufficient clarity to understand, communicate and manage their work whilst giving them and the organisation sufficient flexibility to respond to the constantly changing demands on local authority services. This along with our commitment to limit any new recruitment, offer schemes for voluntary severance where possible and support re-training and redeployment will help us to try and avoid compulsory redundancies and retain the skills, knowledge and capability we require.

2011/12 Commitments

- To listen and reflect the views of colleagues, partners and Trade Unions in the development of the People Strategy
- Collaborate with colleagues in implementing the People Strategy, turning organisational aspirations into action
- Continue to promote equality of opportunity through the refresh of our Equality and Inclusion Policy.
- Introduce a new policy to promote Dignity at Work
- Implement a new policy for the management of attendance
- Provide a minimum Living Wage for employees of the council
- Through careful workforce planning, continue to take action to reduce the need for compulsory redundancies
- Help the organisation maintain its status and recognition as an 'Investor in People'
- Deliver, in partnership, a successful city-wide community engagement learning programme
- Complete the council's bi-annual staff survey
- Refresh our procedure for individual performance management

We will know we are making a difference if, by 2015 there is:

- Increase in overall staff satisfaction
- Decrease in percentage of employees responding that they have experienced discrimination or harassment or bullying in the last 12 months
- Increase in percentage of employees who declare that they have a disability as a percentage of the total workforce (non-schools)
- Increase in percentage of employees who declare that they are from an ethnic minority as a percentage of the total workforce (non-schools)
- Decrease in number of working days/shifts lost due to sickness absence (non-schools)
- Increase in the number of staff receiving individual performance reviews

A COUNCIL THE CITY DESERVES - OUR TRANSFORMATION PROGRAMME

Introduction

The Council has set out a transformation programme to meet the challenges of the next few years and develop a 'Council the City deserves'. This programme continues to form the foundation of the changes we are introducing, and will develop and evolve to help us meet new challenges and take advantage of opportunities as they arise. These include, reducing public sector budgets, increasing demographic pressures and rising customer expectations, all of which means we will need to do a lot more with much less. We need to provide value for money.

We need to develop a better understanding of the needs of the City, give our citizens a real say in what services we provide and be innovative in how we provide those services, using the expertise of our staff to design new ways of working.

If we are to create a more sustainable city then the council needs to lead by example, reducing its environmental impact, through adopting One Planet Living Principles. We will embed these principles throughout the work of the council and, where appropriate, through our procurement practices. Our areas of focus will include:

- Making buildings more energy efficient and using renewable energy solutions where appropriate
- Developing more sustainable transport options for our services and staff
- Reducing the amount of waste we produce, and increasing its reuse and recycling where possible
- Working with suppliers and contractors to reduce the environmental impact of goods and services we purchase
- Using water more efficiently in our buildings
- Protecting biodiversity and creating new spaces for wildlife
- Continuing our support for a Fair Trade City
- Strengthening and extending our environmental management system

Working in partnership with public and community and voluntary sector organisations provides us with the opportunity to maximise all public funding for the benefit of the city. Collectively we need to make better use of our buildings and land, and exploit the opportunities presented by rapid advances in technology.

In his "first 100 days" document the Chief Executive outlined the gap between our residents' perception of the city as a great place to live and their perception of the council. Whilst many individual services are well regarded and respected, the role of the organisation as a whole to help shape the life of the city is not so well acknowledged. The transformation programme is vital to improving not only what we do and how we do it, but also the reputation of the council and of public services in general.

2011/12 Commitments

- Improve the council's online offer to residents by expanding the range of fully web-enabled transactions and make progress towards a website that can be personalised by the customer
- Increase the integration of the council website with back office systems to manage customer information more efficiently
- First in depth consultative approach to setting council's budget for 2012/13
- First open book approach to council budgeting
- Adopt open government license and make more council data available.
- Develop an asset map of all council owned land and buildings including all major public partners
- Bring all property management functions across the council together to ensure we are making the best use of all our land and buildings
- Introduce a Memorandum of Understanding to share support services across public organisations in the city
- Share accommodation with two new partners
- Reduce the council's electricity consumption and costs through improved energy management and by fitting photovoltaic panels on certain council buildings
- Develop further the council's ISO 14001 environmental management system to reduce costs and improve resource efficiency
- Develop more robust sustainability indicators to more accurately monitor the council's performance
- Adopt new sustainable and ethical procurement standards
- Improve the council's internal Environment Champions network and staff engagement in sustainability

2011 – 2015 Outcomes

Excellent customer service

The council's 'Customer Promise' says that the council will be easier to reach, clear and respectful and to listen and act. We will continue to embed this promise across all parts of council.

The council is a very large organisation providing a wide variety of services. We aim to simplify the experience of contacting different parts of the organisation; so that people get the information and help they need first time. Key to this is the roll out of a system called 'Council Connect' and the establishment of customer access hubs.

We have developed the council website to be more accessible and enable customers to make more transactions online. We will continue to increase the range of council services people can access through our website and the range of transactions they can make, since this is now widely expected by the public, often more convenient than the telephone or face-to-face and costs less for us to provide. We will make behind the scenes changes to improve how we manage information, for example capturing once and re-using many times.

We realise not everyone can, or chooses, to use the website; that it does not suit all our residents. We will continue to provide and improve the different ways people can access council services, ensuring people can do business with us swiftly and hassle-free depending on their need.

A key aspect of how we provide excellent customer service will be to ensure that we design what we do and how we do it with residents and visitors' needs always in mind. This will be embedded in all that we do to make the Council more efficient and effective.

We will know we are making a difference if, by 2015 there is:

- Increase in the levels of customer satisfaction
- Reduction in customer repeat contact as they need only tell us once
- A consistent customer experience for common transactions
- Quicker turnaround time of customer transactions

An efficient and effective council

The National Government's comprehensive spending review is driving significant change across all public sector organisations and like many other local councils we are exploring new ways of working to maintain excellent services within decreasing budgets.

A goal of our transformation programme is to achieve stronger outcomes for citizens. By this we mean ensuring council services have the maximum positive impact possible on both individuals and the city. This is through 'Intelligent Commissioning' which means working in partnership and using strong evidence to understand what needs to be done, and to be innovative in the way it is achieved.

We continue to support this approach and will roll this out across the Council, underpinned by the following principles:

- Using comprehensive evidence to understand the needs of our residents, including an assessment of the impact and cost of current services, best practice from within the city, nationally and internationally
- Designing future shape of services with residents; ensuring services focus on what matters most to residents and harnessing their knowledge and experience
- Enabling all staff to help review and design services; valuing and capitalising on their knowledge and experience and avoiding wasted effort
- Joining up delivery across the council and our partners; maximising all resources available
- Using best practice and innovation to add value and keep within budget
- Reviewing the impact of services on residents, businesses and visitors, regularly, and responding as necessary
- Working to achieve One Planet Living principles

These principles are not new, but we need to raise standards and increase consistency across the council. The principles provide staff, at all levels, with a framework within which to work; one defined by 'Systems Thinking' and that is focused on the outcomes for individuals.

We are introducing a new organisational structure to support these principles based around differentiating between strategy/policy development and delivery rather than working in more traditional Directorates. With the development of a new Strategic Leadership Board and Council Management Team, most of this structure is in place. We will now complete the structure and, most importantly, embed the principles into it.

Alongside this new framework for the council we will take practical steps to increase our efficiency. We will look to share assets and resources with other local government service providers where it will add value. The City Property Group, comprising of Property Managers from many different providers, has led the way in sharing accommodation and co-locating services wherever it benefits residents and reduces costs.

We will also ensure staff are able to be more flexible in where they work, reducing travelling time, increasing their productive time especially contact time with residents and reducing our carbon footprint. Phase 1 of our 'Workstyles' programme started us on this journey allowing about 500 of our staff to work more flexibly. We will continue to roll-out this programme learning from phase 1 and engaging with staff.

Technology is pivotal to our flexibility and we will take every opportunity to get best value from the rapid advances in this area. We will ensure we can more easily share data across the Council and with partners where needed, consolidating the 300 separate software products we currently use, most of which work in isolation. We will produce a new Information, Communication and Technology Strategy that will outline how we intend to achieve these changes based on the following principles:

- Capture data once and re-use often, holding only what is essential
- Open up our information to public use as much as possible
- Design our systems so that information can easily flow across the council
- Standardise and share applications across the council avoiding bespoke systems.
- Make systems mobile so that data can be captured at source and information is available wherever it is best used.
- Make systems simple to use and empowering.
- Through these principles and by how we provide IT and communication systems, reduce our carbon footprint.

We will know we are making a difference if, by 2015 there is:

- Increase in the proportion of staff working under new workstyle arrangements
- Achieve a 'desk to people' ratio of 7:10 (full time employees)
- Reduction in office accommodation by 30%
- Reduction in the council's Carbon Dioxide emissions (from its operations)
- Reduction in waste produced from council operations
- Decrease in the number of separate software applications
- Reduction in the annual cost of council business travel

Value for Money

The council spends over £700 million of public money each year and it is our responsibility to provide value for money. We will continue to systematically review all our services, identifying areas where we can reduce costs while improving or maintaining high quality services. We will work with other partners to share costs, promote innovation and reduce duplication.

We will seek to make efficient use of our buildings in terms of space and energy. We will roll out our new carbon reduction programme and improve our monitoring of energy and water usage and our waste produced, looking for ways to reduce associated costs. We will reinvest income from our renewable generated energy back into meeting council priorities.

Many of the ways in which the council works need to be unique to individual services to ensure professional expertise is developed and service delivery is focused on residents. However, some activities, currently undertaken by many teams across the council, will be co-ordinated by single teams. This will enable us to develop economies of scale, make best use of limited resources or skills, be more joined up and ensure the flow of information. The activities included are Asset Management, Communications, Information, Communication and Technology and Learning & Development.

We are aware of the risk of increasing bureaucracy by standardising and centralising these functions. Our overriding principle will be to ensure that decisions are made at the appropriate part and level of the organisation. We will also continue to review our management structures and our administrative support to ensure they are value for money and are enabling effective and efficient service delivery.

Our transformation programme will change the organisation. Best practice shows that good project and programme management is needed for change to be successful in any large organisation. We will be strengthening the Council's change management method and have set up a Programme Management Office, to ensure any significant changes within the organisation are well planned and managed.

We will know we are making a difference if, by 2015 there is:

- Achievement of our value for money saving targets

FINANCIAL PLANNING

Summary of the Medium Term Financial Strategy

The Medium Term Financial Strategy (MTFS) sets out the resource projections for the forthcoming three years, the financial challenges and opportunities that the council faces and the approach planned to meet the priorities set out in the Corporate Plan.

The MTFS explores in more detail the opportunities and risks presented by some major proposed changes to the local government finance system from 2013/14 and provides further analysis of the potential consequences of reforms to the benefits system. It will be regularly updated to reflect the latest information available.

The MTFS includes some changes to our financial planning principles:

- An intention to raise council tax by 3.5% in order to protect as far as possible services for the most vulnerable.
- Regard for the new Government incentive from April 2013 to grow the local economy and keep part of any growth in local business rates which could be maximised by the council's own direct capital investment, its enabling development and its relevant overarching strategies.
- Will seek to protect as far as possible capital grant funding for transport and the public realm investment.
- All services will review their assets to determine any that are surplus to requirements which can be disposed of in order to meet the council's other corporate capital investment priorities and reduce its carbon footprint.
- Council carbon budgets will be developed to be reported alongside the financial budget of the council.
- A sharing of the use of any future new homes bonus income, to further protect those services and to reinvest in enabling new housing development.

The council will integrate its service and financial planning on the basis of need, ensuring cost effective outcomes and will continue working with partners to ensure the provision of joined up services and share costs wherever possible. Where appropriate Equality Impact Assessments will be developed for all proposals to change services and implement savings. Analysis will also be undertaken to assess the cumulative impact of different proposals particularly on the most vulnerable and deprived sections of our community. A more extensive and inclusive programme of consultation on the budget will take place as part of the annual budget process.

Many of the commitments for 2011/12 will be funded through a change in priority or focus for the use of existing resources, including staff time and capital programmes such as the Local Transport Plan.

Some commitments have additional costs which have been factored into existing budget plans, for example:

- Funding to facilitate the redesign of youth services;
- Support to the advice sector's work on financial inclusion;
- Commitment to a £7.19 Living Wage for Council staff;
- Fitting solar photo-voltaic panels on council homes and corporate buildings (self-financing);
- Bidding for UN Biosphere Reserve status.

There are some proposals that are likely to require additional revenue investment but which cannot be fully costed at this early stage. This is because there are a range of options about how they could be implemented and further consideration and consultation will be required before reaching a view about the best way forward. The two most significant ones in revenue terms are probably:

- Reducing domestic waste and increase recycling including the launch of a food waste pilot; and
- New approaches to neighbourhood governance.

The council will explore all options for external funding and innovative cost effective solutions to help support the delivery of these proposals.

The council will continue to use a range of tools to lever investment into the city to deliver priorities in relation to affordable housing, redevelopment of major sites and the public realm including the seafront. These include:

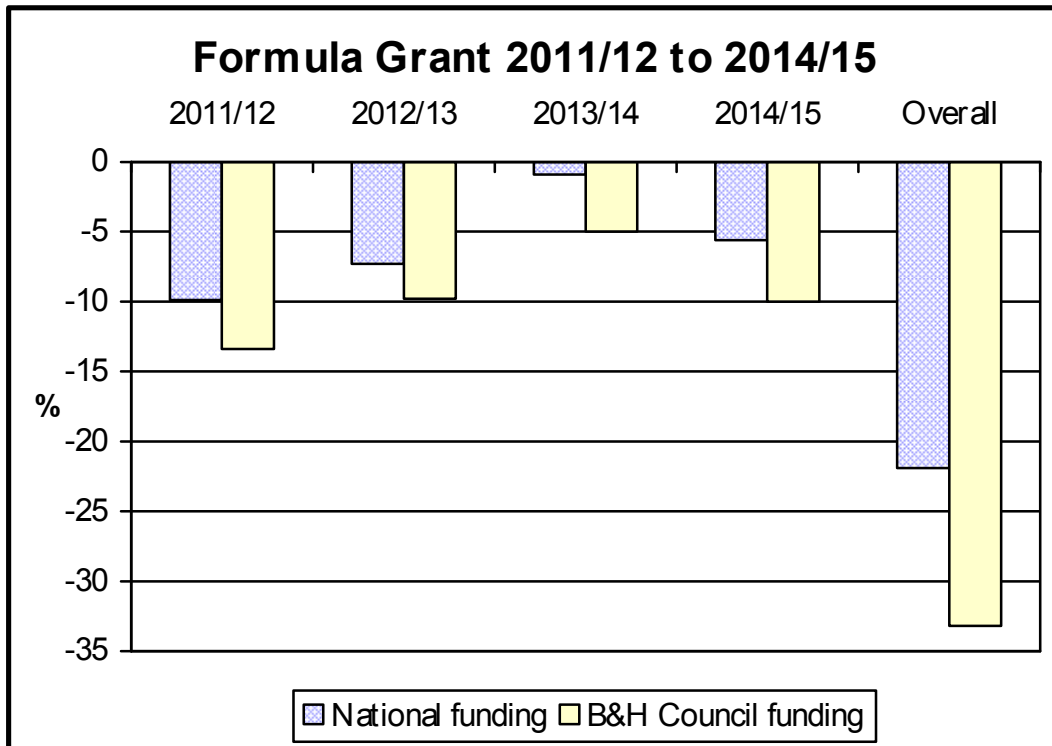
- Planning policies and securing enabling development;
- Use of existing council land and buildings for example in relation to the housing local delivery vehicle;
- Facilitating private sector investment into the city;
- Accessing grant funding, for example to support plans for The Level;
- Using prudential borrowing where there is a robust and affordable business case.

The following table shows a summary of the budget projections for the General Fund over the next 3 years.

Table: Summary of General Fund budget projections			
	2012/13	2013/14	2014/15
	£'000	£'000	£'000
Budget requirement brought forward	232,221	225,377	227,093
Function & Funding changes	-519	-	-
Revised Budget requirement brought forward	231,702	225,377	227,093
Inflation	2,988	4,933	4,920
General Risk Provision	500	500	500
Commitments - impact of previous decisions	-1,925	-832	-111
Service pressures – General	7,500	7,500	7,500
Service pressures – Specific Grants	249	3,051	451
Service Pressures – Function & funding changes	519	-	-
Service pressures – Carbon Reduction Commitment	160	100	100
Full year effect of 2011/12 savings	-3,931	-	-
Savings	-16,386	-14,598	-18,502
Sub-Total	221,376	226,031	221,951
Change in contribution to / from reserves *	4,001	1,062	-
Budget Requirement	225,377	227,093	221,951
Funding			
Formula Grant	101,377	96,308	86,677
Council Tax	124,000	130,785	135,274
Total	225,377	227,093	221,951

*Reserves have been used to support the 2011/12 budget to cover only one-off expenditure items and agreed savings that will be implemented during the year. The removal of this one-off funding is completely offset in future years by the full year effect of savings and the removal of one-off expenditure items shown under commitments. By 2014/15 the budget forecast does not rely on the use of any reserves.

The main source of Government funding for General Fund services comes from Formula Grant. The following chart forecasts how this funding may reduce for the council over the 4 year period compared with the national funding reductions as set out in the Government's Spending Review 2010. Over the Spending Review period Formula Grant for Brighton & Hove is forecast to fall in cash terms by approximately one third or £43million.



MEDIUM TERM FINANCIAL STRATEGY 2012/13 TO 2014/15

Format of the Medium Term Financial Strategy (MTFS)

The MTFS covers all spending by the council and the different sources of funding it receives. Council spending is split between revenue expenditure, covering the day to day costs of running and providing services e.g. salaries and wages or the running costs of a building such as heating and lighting, and capital expenditure, covering expenditure on assets that have a life of more than one year e.g. the cost of building a school or buying a vehicle. Separate strategies are set out for revenue and capital investment.

The council has 4 main areas of revenue spending and each area is funded differently and therefore needs to be considered separately:

- Schools Budget – this budget covers the expenditure by schools on teachers and support staff, all teaching materials and the running costs and day-to-day maintenance of school buildings. The budget is almost entirely funded by the Government through the Dedicated Schools Grant and Pupil Premium.
- Housing Revenue Account (HRA) – this budget covers the costs of operating and maintaining the housing stock owned by the council and is largely funded by the rental income collected from council house tenants.
- Housing Benefit and Council Tax Benefit – currently the council administers the payments to those out of work or on low incomes on behalf of the Government. As long as the council efficiently administers these payments the Government meets them in full through grant.
- All other services form part of the General Fund Budget – this covers a very wide range of services including Adult and Children's Social Care, Local Education Authority, Highways, Waste Collection and Disposal, Museums, Libraries and Tourism, Leisure and Parks, Planning and Economic Development and Public Safety. These services are funded approximately by 40% Government Grants, 30% Fees & Charges and 30% Council Tax.

The MTFS describes the broad strategies for the Schools Budget and the HRA and the possible impact of Government proposals to make changes to Housing and Council Tax Benefit from 1st April 2013 onwards. On the basis of the best information currently available the MTFS sets out for the General Fund the following:

- Expenditure and resource projections for 2012/13 to 2014/15;
- The key assumptions behind the projections;
- Explanations of each of the component parts of the forecasts including the projected savings totals that are needed to deliver a balanced budget and the process that has been adopted to identify them;
- Changes that are known about but cannot be quantified at this time in particular Government proposals to provide incentives for local

authorities to improve their local economy by retaining a proportion of the future growth in business rate income from 1st April 2013.

The Capital Investment Strategy sets out in broad terms the priorities for future capital investment as set out in the Corporate Plan and the funding projections and options. Finally the MTFs contains a risk matrix which sets out the key financial risks and opportunities for the council.

Summary of MTFs

The Medium Term Financial Strategy (MTFS) sets out the resource projections for the forthcoming three years, the financial challenges and opportunities that the council faces and the approach planned to meet the priorities set out in the Corporate Plan.

The MTFs explores in more detail the opportunities and risks presented by some major proposed changes to the local government finance system from 2013/14 and provides further analysis of the potential consequences of reforms to the benefits system. It will be regularly updated to reflect the latest available information.

The MTFs includes some changes to our financial planning principles:

- An intention to raise council tax by 3.5% in order to protect as far as possible services for the most vulnerable.
- Regard for the new Government incentive from April 2013 to grow the local economy and keep part of any growth in local business rates which could be maximised by the council's own direct capital investment, its enabling development and its relevant overarching strategies.
- Will seek to protect as far as possible capital grant funding for transport and the public realm investment.
- All services will review their assets to determine any that are surplus to requirements which can be disposed of in order to meet the council's other corporate capital investment priorities and reduce its carbon footprint.
- Council carbon budgets will be developed to be reported alongside the financial budget of the council.
- A sharing of the use of any future new homes bonus income to further protect those services and to reinvest in enabling new housing development.

The council will integrate its service and financial planning on the basis of need ensuring cost effective outcomes and will continue working with partners to ensure the provision of joined up services and share costs wherever possible. Where appropriate Equality Impact Assessments will be developed for all proposals to change services and implement savings. Analysis will also be undertaken to assess the cumulative impact of different proposals particularly on the most vulnerable and deprived sections of our community. A more extensive and inclusive programme of consultation on the budget will take place as part of the annual budget process.

Many of the commitments for 2011/12 will be funded through a change in priority or focus for the use of existing resources, including staff time and capital programmes such as the Local Transport Plan.

Some commitments have additional costs which have been factored into existing budget plans, for example:

- funding to facilitate the redesign of youth services;
- support to the advice sector's work on financial inclusion;
- the commitment to a £7.19 Living Wage for Council staff;
- fitting solar photo-voltaic panels on council homes and corporate buildings (self-financing);
- bidding for UN Biosphere Reserve status.

There are some proposals that are likely to require additional revenue investment but which cannot be fully costed at this early stage. This is because there are a range of options about how they could be implemented and further consideration and consultation will be required before reaching a view about the best way forward. The two most significant ones in revenue terms are probably:

- reducing domestic waste and increase recycling including the launch of a food waste pilot; and
- new approaches to neighbourhood governance.

The council will explore all options for external funding and innovative cost effective solutions to help support the delivery of these proposals.

The council will continue to use a range of tools to lever investment into the city to deliver priorities in relation to affordable housing, redevelopment of major sites and the public realm including the seafront. These include:

- planning policies and securing enabling development;
- the use of existing council land and buildings for example in relation to the housing local delivery vehicle;
- facilitating private sector investment into the city;
- accessing grant funding, for example to support plans for The Level;
- using prudential borrowing where there is a robust and affordable business case.

Budget & Resource Projections

Tables 1 and 2 below set out both the main assumptions that underpin the projections and a summary of the General Fund projections. The projections show the movements in the budget requirement for the council which is the anticipated budget after the deduction of specific grants and fees and charges and is funded by Formula Grant and council tax. The reasons for the movements are described in the paragraphs after table 2 and follow the order shown in the table.

It should be noted that virtually all the specific grants are unringfenced i.e. the council can decide how this money is spent in order to achieve the best

service outcomes and therefore does not have to necessarily spend the money in the service area for which it was allocated.

Table 1: Summary of MTFS assumptions			
	2012/13	2013/14	2014/15
Pay inflation	0.5%	2.0%	2.0%
General inflation	2.0%	2.0%	2.0%
Formula grant floor change	-9.4%	-5.0%	-10.0%
Dedicated Schools grant per pupil	0.0%	0.0%	0.0%
Other specific grants	0.0%*	0.0%	0.0%
Council Tax change	3.5%	3.5%	3.5%

* Except where the Government has already announced 2012/13 allocations.

Table 2: Summary of General Fund budget projections			
	2012/13	2013/14	2014/15
	£'000	£'000	£'000
Budget requirement brought forward	232,221	225,377	227,093
Function & Funding changes	-519	-	-
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Budget Requirement	225,377	227,093	221,951
Funding			
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Council Tax	124,000	130,785	135,274
Total	225,377	227,093	221,951

* Reserves have been used to support the 2011/12 budget to cover only one-off expenditure items and agreed savings that will be implemented during the year. The removal of this one-off funding is completely offset in future years by the full year effect of savings and the removal of one-off expenditure items shown under commitments. By 2014/15 the budget forecast does not rely on the use of any reserves.

Function & Funding Changes

In 2012/13 more funding is being removed from the council for new academies and a loss of responsibility for certain private sewers. The

academies adjustment is being made to reflect the position that councils do not have to provide a range of educational support services to academies as they are designed to be self-sufficient. The value and distribution method for the academies transfer in 2011/12 and 2012/13 is currently being revisited by Ministers following a government consultation this summer, however there remains a lot of uncertainty about whether any changes will be made to the transfers already announced. The current adjustment is based on a pro-rata split across the country and does not reflect the actual number of academies within a local area which is a fairer but potentially more complex way of making the adjustment. Further funding transfers for academies are expected from 2013/14 however the value of this is unknown at this time.

In 2013/14 the council will gain additional responsibility for Public Health and the Government has stated that they are committed to ensuring that local authorities are adequately funded. The intention is for the Government to provide shadow allocations for 2012/13 by the end of this year.

Inflation

The level of inflation experienced by the council is different from the national measures of inflation such as the Consumer Price Index (CPI) because the sorts of goods it buys are very different from an average household and the council is exempt from VAT. An assumption of 2% is included for general inflation in the projections. Compared to current levels of inflation this is low but inflation is generally expected to decrease later this year and provision for higher levels of inflation in spending areas such as fuel and energy costs are covered within service pressures.

The Government have announced a 2 year public sector pay freeze for 2011/12 and 2012/13. The budget estimates for 2012/13 include a risk provision for pay related matters equivalent to a 0.5% increase. It is anticipated that public sector pay will be tightly controlled over the planning period therefore the planning assumption will be for a 2% annual increase in pay for 2013/14 and 2014/15.

The Administration has announced that there will be a rise of 59p per hour in the pay for the lowest paid council staff bringing them to £7.19 per hour as part of the commitment to introduce a Living Wage in Brighton & Hove. This is estimated to cost £109,000 in a full year plus and can be funded from the resources set aside in the 2011/12 budget for pay. The costs for school based staff are estimated at £70,000 and it is assumed that this will be paid for from school delegated funds. A living wage commission is due to commence in October 2011 reporting in March 2012. Any further increases in pay for council staff will need to be funded from within the overall planned pay assumptions.

General Risk Provision

A general risk provision of £0.5m per annum is incorporated into the budget projections to cover uncertainties within the budget each year. The 2011/12 budget includes recurrent risk provisions of £2m and one off risk provisions of £1.2m. Any of these resources that are not required to support the 2011/12 budget will become available to support future budgets.

Commitments – impact of previous decisions

A number of commitments have been included to cover the planned changes in budget from previous decisions. In 2012/13 these include the planned 0.4% increase to employer pension contributions following the triennial pension fund review last year and reinvestment of NHS social care funding. These increases are more than off-set by anticipated reductions in the financing costs budget and reversal of one off allocations within the 2011/12 budget.

Service Pressures

Service pressures are defined as the additional costs needed to maintain all existing services at their current level. Different types of service pressure are described in the paragraphs below.

Service Pressures - General

The budget estimates for 2012/13 contain demographic growth and other service pressures of £7.5m that are based on the following assumptions at this stage:

- Demographic and demand pressures (£5.4m): of which £2.5m for growth in numbers of clients in Adult Social care, in particular those with learning disabilities and physical disabilities and accessing mental health services. A further £2.5m pressure has been assumed for Children's services, which includes growth in independent foster and residential agency placements, in house placements and associated legal costs.
- There is also assumed to be a continuation of the demand on travellers' services seen over recent years and on support provided by the Community Safety partnership (£0.4m).
- Income shortfalls (£0.8m): there is assumed to be continued pressure on income from Penalty Charge Notices (PCN) due to the successful enforcement strategy, and continued risks on commercial property and service areas dependent on advertising revenue.
- Legislative and compliance risk (£0.55m): some additional costs associated with the Localism Bill are anticipated and there are ongoing issues around ICT licensing and rising insurance costs.
- A provision for increased energy costs has also been included in the £7.5m. While there are other cost pressures being faced by services it is assumed that these will be identified and managed within their overall resource base. £0.35m has also been retained centrally for distribution at a later stage when there is greater certainty of these figures.

Demographic and other service pressure funding of £7.5m has been included in the budget estimates for 2013/14 and 2014/15, however indicative allocations have not been made at this stage as it is too early to predict where pressures would arise with certainty.

Service Pressure – Specific Grants

There are potential specific grant reductions of £0.3m in 2012/13 based on the latest announcements of allocations of grants. Further pressures arise from specific grants in 2013/14 and 2014/15 where the specific grant allocations are assumed to be frozen at the 2012/13 levels rather than rise with inflation.

Service Pressures – Council Tax Benefit Grant

A major change in council tax benefits is due in 2013/14 when the national regulations will be replaced by a local scheme that will need to be devised to cope with a funding reduction of 10%. The forecast for 2013/14 shows the likely loss in grant funding of £2.6m based on current levels of benefit payments and assumes that the council will implement a reduced scheme. Once a local scheme is in place changes in the total amount of benefit awarded by the council brought about by changes in the population and economic conditions will become a new financial risk for the council.

However the financial implications will not be fully known until the autumn/winter 2011 once the results of the current government consultation are published thereby enabling the council to begin working on options for different local model schemes. It could be more difficult to collect the additional £2.6m council tax due to the council from tax payers on low incomes who currently have part or all of their bill met by council tax benefit. Whilst all reasonable efforts will be made to collect the full amount of the council tax due an initial provision of about 6% or £0.150m for possible non-collection.

Service Pressures – Function and Funding Changes

The reduction in costs generated by function and funding changes described earlier are unlikely to be achieved by the council and therefore have been treated as a service pressure in the budget. Any savings that can be achieved will form part of the savings proposals put forward by these service areas.

Service Pressure - Carbon Reduction Commitment (CRC)

The spending review has made major changes to the CRC scheme. The cost of purchasing allocations to cover the carbon output of the council will now have to be met in full. Previously the payments to the Treasury were going to be recycled back to organisations as income depending on how successful each was in reducing its carbon footprint. There is some uncertainty in the guidance but initially the council will need to buy allowances to cover only the largest energy consuming sites. The cost of allowances is estimated to be £12 per tonne in 2011/12 requiring a budget of £0.16m for this year and next based on the detailed data collected this summer. Separate provision of just over £0.1m has been made in the schools budget to cover the cost of their allowances. In 2013/14 and beyond the council will need to buy allowances to cover more of its carbon footprint and the cost of allowances over time is expected to rise. Additional provision of £0.1m each year has been initially allowed in the forecasts to cover the increasing cost of purchasing allowances.

Full Year effect of 2011/12 savings

A number of savings particularly reductions in staff costs have been agreed for implementation during the current financial year and therefore the savings achieved next year in 2012/13 will be significantly greater. Reserves were planned for use in 2011/12 to cover those savings which could not be implemented from 1st April 2011.

Savings

The level of savings required represents the reductions needed in the budget in order to set a balanced budget for that year given the other assumed budget and resource projections. As set out in the budget update report to Cabinet in July 2011 all service areas are being asked to produce options for working within a budget allocation over the next 2 years of -5%, -10% and -15% based on their 2011/12 adjusted budget. It is expected that these plans

cover both 2012/13 and 2013/14 in order to ensure that decision making is for the medium term, not just the short term. The intention is for Full Council to agree a budget for 2012/13 in the light of indicative plans for 2013/14.

This will also enable consideration to be given to allowing longer lead in times for delivery of savings in some areas if this would result in better long term outcomes and to assess the cumulative impact of potential savings proposals.

These options would take into account not just options for reducing expenditure, but also for managing growth in service demand and exploring opportunities for generating additional income. Integration of service and financial planning on the basis of need to ensure cost effective outcomes will be a core part of the process, ensuring that needs are properly understood and resources prioritised, to deliver the intended outcomes. This will help drive improved financial planning across service and organisational boundaries. There will also be a continued focus on improving value for money, both through the existing VFM programme and also identifying potential further opportunities.

The budget principles on which those options will be developed are:

- * To prioritise services for the young, elderly and vulnerable
- * To promote efficient use of public money
- * To support partnership working with public, private and third sector organisations

This process will produce a wide range of options, allowing greater public debate and scrutiny about what the challenges and choices are. The process is deliberately designed not to pre-judge the outcomes. Opportunities will arise to consider how the funding available for service pressures and the risk provisions in the budget will be best deployed to achieve a robust and deliverable budget. Where appropriate Equality Impact Assessments will be developed to support the decision making process.

Devolving aspects of budget decision making to local neighbourhoods will be a key consideration of any further decisions made. Both national legislative changes and local priorities offer new ways of ensuring local communities and communities of interest can play a significant role in making decisions that affect them.

Value for Money (VFM)

Value for money (VFM) is a well established and continuing mechanism underpinning the budget process. Some VFM savings from 2012/13 programme have been fast-tracked into 2011/12. Further VFM have not been separately identified in the forecasts for future years but will be proposed as part of the -5%, -10% and -15% savings options.

Resources

These sections cover both Formula Grant and council tax which fund the net General Fund budget but also fees and charges, the New Homes Bonus and reserves.

Formula grant

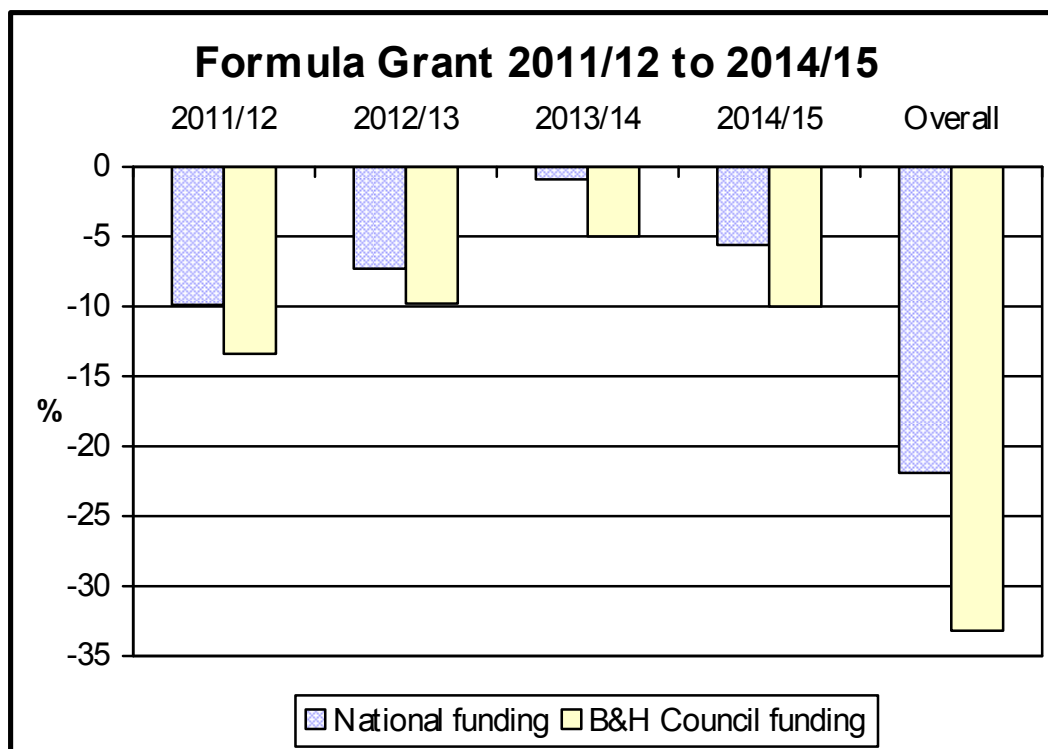
Whilst the Spending Review last year set out Government spending plan totals for 4 years the Government only announced a 2 year Local Government Finance Settlement covering 2011/12 and 2012/13. Although the 2012/13 figures are provisional further changes that may be made when the 2012/13 settlement is announced at the end of November or beginning of December 2011 have not been included in the forecasts. However, the way the Government reduced the 2011/12 settlement and proposes to reduce the 2012/13 settlement to reflect the growing number of academies has been revisited through a consultation process and these adjustments could change.

Another 2 year settlement is likely to be announced in November or December 2012 for 2013/14 and 2014/15 taking into account any changes resulting from the Local Government Resource Review. A summary of the changes is given in a section on the review later in this strategy. These changes could have a significant impact on resource distribution so grant forecasts for these years are very provisional at this stage.

The forecasts for 2013/14 and 2014/15 are based on the national figures for formula grant given in the spending review adjusted to reflect the fact that:

- The national totals will need to be top-sliced to provide ongoing funding for the New Homes Bonus, and
- The council in 2012/13 is still in receipt of £11m floor protection grant which is likely to continue to be lost over time.

The following chart compares the average national Formula Grant changes set out in the Spending Review with the actual Formula Grant for 2011/12, the provisional settlement for 2012/13 and the forecasts for 2013/14 and 2014/15 for the council.



Formula Grant is expected to be £101million for the council in 2012/13 a reduction of £11million over the current year. Over the Spending Review period Formula Grant for Brighton & Hove is forecast to fall in cash terms by approximately one third or £43million.

Council Tax Strategy & Taxbase

The resource projections within the MTFS are based upon an increase in council tax of 3.5% in 2012/13 followed by a planned increase in council tax for the period 2013/14 to 2014/15 of 3.5% per annum.

It has been assumed that the amount of money raised by a £1 band D council tax levy known as the council taxbase will remain constant throughout the MTFS. The growth in properties as a result of new property developments is assumed to be offset by a continuing growth in the number of properties occupied solely by students and therefore exempt from paying council tax. Further work is being undertaken to establish whether recent unexpected increases in exemptions and discounts in the current year is a temporary or permanent phenomenon. At this stage the forecast tax base has not been reduced but the budget strategy will need to be flexible enough to cope with possible resource reductions should they be identified later in the year.

As explained earlier in the section on proposed changes to council tax benefit from April 2013 reductions in the scheme will mean that the council will need to collect more council tax from residents on low incomes and this is likely to be harder to collect. The forecasts of council tax income for 2013/14 and beyond include the additional council tax collectible.

The overall level of council tax is also dependent upon the council taxes set by the Sussex Police Authority and East Sussex Fire Authority. There may be

some probably minor changes to the Fire Authority council tax if proposals to merge with West Sussex are agreed in the future. Overall the comparable band D council tax for Brighton & Hove residents is slightly above the national and unitary average but well below the average in Sussex.

Fees and Charges

The fees and charges are assumed to increase by 2% inflation over the period. An overarching review of fees and charges for 2012/13 will be undertaken prior to Budget Council to assess the cumulative impact of proposed changes to fees and charges on vulnerable groups.

New Homes Bonus

The amount of additional new homes bonus income each year will not be known until the time of setting the following year's budget and therefore individual allocations will form part of each financial year's budget report. The future new homes bonus income will be used to further protect services for the vulnerable and to reinvest in enabling new housing development. Based on information to the end of August it is estimated that the council could receive an additional c.£0.3m per annum from 2012/13 for the next 6 years in respect of growth since October 2010 but this has not been built into the resource forecasts at this stage.

General Reserves and Working Balance

The working balance is currently £9m and is planned to remain at this level over the next 3 years. The council holds a wide range of reserves for specific purposes and details of the amount of each reserve, what it is being held for and any planned usage of the reserve are included in the detailed budget report each year. The projected general reserves position to 31st March 2012 was set out in the budget update report to Cabinet in July 2011 and the level of reserves available for use in future years will depend on spending levels in the current year. Reserves cannot be used to fund ongoing expenditure commitments as they can only be spent once. They can be used to support the revenue budget whilst agreed savings are being implemented, to meet any one-off upfront costs associated with savings or to fund one-off new expenditure items.

Other future Government policy changes that will impact on future year projections for the General Fund:

Local Government Resource Review

The Government published terms of reference for the review in March 2011 with the primary objectives being to give local authorities greater financial autonomy and strengthen incentives to support local economic growth. Currently there is no link between the business rates collected locally and the business rates funded proportion of Formula Grant. A consultation by the Department for Communities & Local Government is underway which will allow councils to keep some or all of their business rate income collected locally. Councils will also get to keep some of the increases in local business rates over and above inflation but see reductions in their resources if business rates fall. Local authority areas with a very high level of business rateable value, a growing economy and increasing number of business premises have potentially most to gain from these proposals. The Government appears to

be extremely keen to make changes and has an ambitious target of 1 April 2013 for the introduction of a new system.

Local government finance is extremely complicated and making changes of this fundamental nature is not easy and can create many unintended consequences. Officers are closely monitoring progress on the proposals and keeping the cross-party Members Budget Review Group informed of the latest developments. The work undertaken so far has thrown up many unanswered questions which makes assessing the impact on the future resource position of the council difficult to ascertain. However, any localisation of business rates will give the council significant new risks to manage as the income from business rates is quite volatile and provide some different financial incentives to take into account when the council is making decisions on business developments within the city. The council will need to explore which authorities might be willing to enter into business rates pooling arrangements with the council and the advantages and disadvantages of spreading the risks by pooling with different local authorities.

Housing Benefit

The Welfare Reform Bill contains the legislative provisions for the introduction of a universal credit that will replace existing in and out work benefits and credits. The aim is to improve work incentives, simplify the benefits system and make it less costly to administer.

The council currently administers housing benefits and council tax benefits and receives around £180m subsidy (2011-12) and £3.258m housing and council tax administration grant. The move to universal credit is planned to commence for new applicants from 1 April 2013 and have a four year transition period. The transition to universal credit will have profound implications for many council employees and councils systems alongside the re-localisation of council tax benefits from 2013/14.

The LGA is lobbying government to ensure that the costs associated with the benefit reform, including staff, systems, contractual and transition costs, should be fully met by government under the new burdens doctrine. There is clearly a significant financial risk to the council if that is not the case.

In addition the way universal credit is paid could have important implications for the housing market. For example, if universal credit increases the risk that tenants default on rent, and rental income streams suffer, this could destabilise the credit arrangements the social housing sector has with financial institutions. This in turn could impact on the costs associated with the council's statutory homeless responsibilities.

Schools Funding

Schools funding can only be spent on schools related expenditure. In the Spending Review schools funding was protected with DSG and funding for the new Pupil Premium rising by 0.1% per annum in real terms (i.e. after allowing for inflation) over the period of the Spending Review at a national level. The Department for Education are continuing to consult on the changes to the way the national funding pot is distributed including the introduction of a national funding formula to replace locally agreed

formulae. The next stage of the consultation is currently taking place with a response deadline of 11 October 2011. Changes to the distribution mechanisms will create winners and losers both at the local authority and individual school levels but it is too early to tell how schools within Brighton & Hove might be affected.

Capital Investment Programme

The capital investment programme covers all services including the HRA and schools.

Current Capital Investment Programme

The 2011/12 capital programme is £114.1m. The programme contains a number of critical schemes which have the potential to have significant revenue budget implications if they are not delivered, these include the council's phase one of the accommodation strategy £2.8m, solar panel Implementation £2.6m, vehicle replacement £1.2m and new primary school places £11.3m. The programme also includes corporate investment of £0.5m for the Strategic Investment Fund, £0.5m for the ICT Strategy Fund and £1.0m for the Asset Management Fund. The corporate funds support investment in core strategic investment for major projects, civic and operational buildings and ICT investment.

Council borrowing accounts for 24% of the capital programme funding. Capital grants account for 44% of the capital programme some of which are ringfenced for specific purposes. Revenue contributions include the Major Repairs Allowance for housing stock as well as contributions through direct revenue funding. Receipts from asset sales accounted for 4% of the funding and other sources of funding include use of capital reserves and external contributions.

Capital prospects for the next 3 years

The Government does provide some indicative forward estimates of future capital allocations but the detail varies significantly between government departments. The resources available nationally are outlined in the spending review and this information coupled with the indicative allocations allows for estimates of future year's resources to be established. Forward estimates of the capital investment programme have been produced for the period up to 2014/15 and these are included at Table 3.

The response to the '2010-11 review of the education capital commitment' is expected to be published in the autumn of 2011. The review aims to achieve better value for money and improve efficiency in education capital investment that is relevant to both schools and children and young people's services. The review aims to better target funding to where it is needed most and give more flexibility on how funding is used in the context of clear overarching national priorities.

The council has ambitious capital investment aspirations including the redevelopment of the Brighton Centre, the Black Rock site, Brighton Station Gateway and the Historical Records Centre.

Table 3: Summary of Capital Investment Programme			
	2012/13	2013/14	2014/15
	£'000	£'000	£'000
Approved Schemes			
People	537	0	0
Place	1,578	760	0
Communities	0	0	0
Finance & Resources	0	0	0
New Schemes Awaiting Approval			
People	8,080	7,442	6,899
Place	30,121	24,853	24,807
Communities	0	0	0
Finance & Resources	4,000	4,000	4,000
Total	44,316	37,055	35,706
Fund by:			
Government grants	15,596	14,256	14,058
Capital receipts	2,000	2,000	2,000
Capital receipts to support the LDV	4,517	4,722	3,328
Capital reserves	84	0	0
HRA reserves	2,782	3,271	3,400
External contributions	146	0	0
Major Repairs Allowance	7,638	7,839	8,000
Direct revenue funding	3,487	3,467	3,420
Council borrowing	8,066	1,500	1,500
Total	44,316	37,055	35,706

Capital Strategy

The Council's Capital Strategy outlines the process for the prioritisation and evaluation of capital investment projects. A summary of these priorities is detailed as follows:

- Will seek to protect as far as possible capital grant funding for transport and the public realm investment;
- The pooling of all remaining non ringfenced capital resources and allocating to priority areas of investment;

- Allocate approximately £0.5m per annum to address the key capital strategic priorities and provide support to the major projects investment through the Strategic Investment Fund;
- Allocate £0.5m per annum towards the Information and Communication Technology Fund to address the funding of central network support and improvements to the ICT infrastructure;
- Allocate £1.0m per annum to the Asset Management Fund to support property improvements, property related Health & Safety requirements and access improvements under the Disability Discrimination Act 1995;
- Allocate £0.5m per annum through borrowing to support investment in Social Care buildings;
- Generate capital receipts from the disposal of surplus or under-used assets for reinvestment through the Asset Management Plan and into other corporate funds;
- Proceeds from the sale of capital receipts will be used for reinvestment in the capital programme or used for debt repayment or investment, for example, to offset any loss of rental income in the revenue budget;
- The net receipts from 'right to buy' sales are split between funding for corporate strategic priorities delivering regeneration including affordable housing opportunities and investment directly in housing. The first £0.5m of this income is used to finance support for major regeneration and housing projects through the Strategic Investment Fund with the remainder set aside for investment in housing;
- The use of council borrowing for service improvements where a business case has been developed and that the investment demonstrates value for money and the additional finance costs are reflected in the revenue budget;
- Explore all funding options including partnerships and bidding processes.

This strategy allows the council to maximise current and future capital resource allocations. It also allows for the allocation of resources to address the key priorities and strategic issues of the council.

Housing Revenue Account

The Housing Revenue Account (HRA) Budget is a ring fenced account which covers the management and maintenance of council owned housing stock. A local authority's HRA must be in balance meaning that the authority must show in its financial planning that HRA income meets expenditure and that the HRA is consequently viable.

Revenue budget

The HRA expenditure and income budgets in 2011/12 are both £50.4 million creating a balanced budget. The HRA revenue reserves are currently at £4.7m which is above the recommended level and this will be reviewed during 2011/12.

The HRA budget will focus on reducing management and maintenance costs over the next three years.

Management costs for 2010/11 were £17.67 per dwelling per week which are average in comparison with other councils. The 2011/12 budget includes management savings in office costs of £0.090 million, and savings of £0.263 million from the implementation of the Customer Access Review Phase 2.

The new repairs and improvement partnership has achieved savings in the responsive repairs and voids budgets (and also capital project unit costs) and the 2011/12 budget includes further savings of £0.300 million.

Future savings will be delivered by improving the use of HRA buildings including more efficient working at the housing centre, streamlining processes and implementation of phase 3 of the Customer Access Review. The move towards open book accounting for the partnership in the future will continue to support the delivery of future savings, thereby reducing the overall maintenance costs.

Savings will be used to fund any service and inflation pressures not met by additional rental income from annual rent increases. A proportion of savings will be reinvested to tackle inequality, anti social behaviour, improving financial inclusion and to fund capital investment.

Capital Programme

The current 3 year capital programme has a budget of £71 m over the period 2011/12 to 2013/14 and the forecast spend for 2011/12 is £36.8 million.

By April 2011, 74% of homes met the Decent Homes Standard, and the target is to bring this up to 88% by April 2012. The capital programme will provide funding, through leasing properties to Brighton and Hove Seaside Homes, to ensure all council housing meets the standard by the end of 2013.

The capital strategy for the next 3 years will also focus on supporting the development of healthy lifestyles, support the reduction of inequalities, including overcrowding, and creating homes that meet the changing needs of the City. The programme will for example proactively tackle the causes of

mould in homes, combining heating, insulation and ventilation programmes, along with cyclical works, which will help improve health and reduce the inequalities caused by fuel poverty.

Projects include solar panel installations to 1,600 homes and over cladding, building significantly on the carbon reductions already achieved and playing a key part in making Brighton & Hove a benchmark for high environmental sustainability delivery.

Self Financing

The HRA operates within the national housing subsidy system, the system through which the Government determines the amounts local authorities need to spend on their council housing and whether subsidy is required to support this expenditure. 'HRA subsidy' is the sum paid by Government to make up any shortfall between HRA income and expenditure.

HRA subsidy may be a negative amount where the government determines that the local authorities have more money than they need to finance their expenditure. Local authorities therefore pay this sum across to the Government. In 2011/12 the negative subsidy payment for the HRA is £4.75 million.

Under plans in the Localism Bill the current housing subsidy system will be abolished from April 2012 and replaced with a new system of self financing. Under this system the council will no longer be required to transfer its resources to central government, but in return will be required to take on additional housing debt (currently estimated at £9.3 million) at a level which is sustainable in the long term.

This system will enable the HRA to develop a balanced 30 year Business Plan aiming for effective long term management of the housing stock.

Risk assessment

The degree of risk and uncertainty contained within the MTFS cannot be understated. The finance system within which the city council works is complex and highly sensitive to a range of variables. Factors that can have a material effect on the financial position of an authority include:

- The lack of certainty in future resource levels
- Changes in function & funding
- Changes in how services are funded
- Changes in the economy
- Climate change
- Unmanaged service pressures
- Decisions on council tax

Risks to the MTFS arise from both external and internal factors. External risks include, for example, Government policy decisions that have an adverse impact on the council. External risks are generally the most difficult to manage and plan for.

Internal risks can also arise for a number of reasons, such as cost overruns or changing priorities. They may also be influenced by external factors. It is vital to have adequate mechanisms to manage internal risks if financial stability is to be achieved. There are a number of ways in which the effects of risks can be managed and these are set out in the following risk table. Furthermore, the city council's MTFS aims to minimise the impact of some of the major financial risks and impact on the delivery of the city's key priorities.

However, the forecasts within the MTFS are based on assumptions that reflect the most likely position based on current knowledge and therefore there are also opportunities if any of the forecasts overstate actual expenditure or under-estimate actual income.

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
Potential Risks affecting 2012/13 to 2014/15					
Collection of council tax falls due to the difficult financial climate and failure to achieve higher target collection rates resulting in a deficit on the collection fund	2	3 0.1% reduction in council tax collection = £0.1m	6	Immediate impact on reserves Would require reductions in the budget for the following year to repay reserves	Close monitoring of the collection fund Implement appropriate collection strategies to minimise impact and review effectiveness of the new Debt Prevention Team
Council tax base is lower than anticipated e.g. lower number of new properties / more student exempt properties / more discounts, resulting in a deficit on the collection fund	3	3 1% reduction in council tax base = £1.1m	9	Immediate impact on reserves Would require reductions in the budgets for the following year to repay reserves	Close monitoring of the collection fund and checking validity of exemptions and discounts particularly new property developments, student numbers and discounts Working with further education establishments to develop more dedicated student accommodation
Provisions for Equal pay	4	4	16	Successful equal pay claims	Maintain and update the risk

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
and future pay insufficient to meet liabilities		1% variation in total pay = £1.3m p.a.		above the provision would reduce the level of reserves	register Monitor progress on a frequent basis and update financial forecasts regularly particularly in the light of any new legal rulings
General inflation higher than the 2% forecast	3	3 0.5% change in inflation = £0.6m	9	Would reduce resources within budgets creating the need to find additional savings	Monitor inflation rates and impact on contract costs closely Risk provisions and service pressures provide some cover for higher inflation
Energy and fuel prices increase above 2%	4	3	12	Would reduce resources within budgets creating the need to find additional savings	Reduce consumption and implement measures to generate energy Monitor energy/fuel market for contracts closely Risk provisions and service pressures provide some cover for higher inflation
The council fails to reduce its carbon footprint resulting in higher than anticipated energy costs and need to	3	3	9	Would reduce resources within budgets creating the need to find additional savings	Develop council carbon budgets for services and report / monitor alongside financial budget.

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
purchase more allowances than anticipated under the CRC scheme					Programme of investment to reduce carbon footprint across the council
Investment interest rates lower than anticipated	4	3 0.5% lower = £0.25m	12	Would need more reserves to cover any shortfall in the investment interest budget	Keep investment strategy under constant review Review impact in light of changes proposed to housing finance from April 2012
Long term borrowing rates higher than anticipated	2	3 0.5% higher = £0.05m for each £10m borrowed	6	Would increase borrowing costs budget over the long-term Would hinder business cases involving borrowing and make invest to save schemes less financially attractive	Closely monitor long term borrowing rates and future borrowing requirements to help identify the best time to borrow
Services fail to operate within set budgets due to: <ul style="list-style-type: none"> • Increased service demand • Price variations • Unachieved income levels 	4	3 1% overspend on net GF budget = £2.3m in 2011/12	12	Departmental service pressures that can only be met through additional resources, such as the risk provision, or savings elsewhere in the budget. Reduction in reserves	Monitor corporate critical budgets and overall budget through TBM. Identify action plans to mitigate cost pressures. Apply cash limits but at least repay any use of reserves over no more than 3 years

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
<ul style="list-style-type: none"> Unachieved savings 					should risk materialise that cannot be accommodated by management or policy action.
Waste tonnages higher than projected resulting in additional disposal costs particularly landfill	2	4 1% increase in tonnage in 2011/12 = £0.1m p.a. over life of contract	8	Would increase the waste disposal budget and compensating savings would need to be identified elsewhere in the budget	Provision for higher tonnages made in assessment of waste PFI reserve Monitor and identify specific areas of growth and undertake waste minimisation and further recycling measures
Continuing difficult financial climate has a greater than anticipated impact on collection of income and commercial rents	3	3 1% reduction in income = £1.2m 1% reduction in commercial rents = £0.1m	9	Services would need to identify compensating savings and in particular look at whether expenditure could be reduced in those income generation areas	Identify action plans to mitigate income and rent shortfalls
The uncertainties within housing market and changes in housing benefit	3	3 10% increase in	9	Would create additional pressures in the Housing Strategy budget which would	Assess the potential impact of proposed changes to the housing benefit system and

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
create spending pressures within the homelessness budget		homelessness budget = £0.2m		need to find compensating savings	the introduction of universal credit and lobby accordingly
The number of children taken into care is higher than anticipated particularly following recent national high profile cases	3	3 1% increase in looked after children budget = £0.2m	9	Would create additional pressures in the children's services budget to find compensating savings	Monitor corporate critical budget through TBM and develop financial recovery plans
Increasing demand for adult social care services above projections	3	3 1% increase in adult social care budget = £0.8m	9	Would create additional pressures in the Adult Social Care & Housing, Learning Disabilities and Health led services budgets to find compensating savings	Monitor corporate critical budget through TBM and develop financial recovery plans
Major civil incident occurs e.g. storm, flooding, riot	2	3 Estimated "Bellwin" threshold = £0.8m	6	Budget overspend/reduction in reserves Pressures on other budgets	Ensure adequate levels of reserves to cover threshold expenditure Ensure appropriate insurance cover is in place.

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
Severe winter weather places additional spending pressures on winter maintenance and other budgets across the council	3	3 Depends on severity of weather event and length of cold snap	9	Need to use reserves in one-off risk provisions	Advance planning to minimise possible disruption
Pupil numbers lower than projected	2	3 1% of Dedicated Schools Grant = £1.5m	6	Schools funding through dedicated schools grant lower than anticipated.	Review & improve pupil number projections. Consultation with schools forum.
Cost overruns occur on schemes in the agreed capital programme	2	3 1% cost overrun on total programme = £0.4m	6	Reserves or other capital resources redirected to fund overspend Unable to meet capital investment needs	Effective cost control and expenditure monitoring. Flexibility within programme to re-profile expenditure if necessary.
Capital receipts lower than anticipated	4	3 10% reduction in receipts = £0.6m	12	Fewer resources available for transport programme and other strategic funds	Flexible capital programme that allows plans to be reduced or re-profiled.

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
Further risks affecting 2013/14 onwards					
Re-localisation of business rates produces a loss of funding for the city council in 2013/14 and thereafter	3	4 2011/12 grant floor funding = £11m	12	Reductions in budgets or upward pressure on council tax	Model impact of possible options for change Lobbying Government on adverse impact of proposed changes
Council loses funding when the new system of business rate retention is periodically reset	3	4 1% of possible baseline = £0.9m	12	Reductions in budget or upward pressure on council tax	Lobbying Government on reset options and measures to avoid excessive volatility
Income from business rates is lower than expected	3	4 1% of business rates = £1m	12	Immediate impact on reserves Would require reduction in the budget for following year to repay reserves and meet ongoing resource shortfalls	Close monitoring of business rates yield and collection Consider measures to encourage growth in local businesses
Cash reductions in remaining specific grants in 2013/14 and beyond	3	4 5% reduction in	12	Reductions in budgets or upward pressure on council tax	Provisions for reductions made in resource forecasts Develop strategies to identify

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
causing additional budget pressures		specific grants = £1.5m			priorities and mitigate impact of reductions
Council fails to deliver a council tax benefit (CTB) scheme with a 10% cost reduction from 1 April 2013	2	3 1% of CTB = £0.26m	6	Reductions in budgets or upward pressure on council tax	Define as corporate critical budget, closely monitor and allow for periodic review of adopted scheme.
Number of council tax benefit claimants higher and / or CTB scheme costs more than anticipated	3	3 1% of CTB = £0.26m	9	Immediate impact on reserves Ability to review scheme to meet new financial pressures	Closely monitor claimant numbers Make appropriate changes to the scheme to reduce financial cost
Transfer of funding for Public Health responsibility from 1 April 2013 insufficient to meet existing service requirements and future demand	2	4	8	Reductions in budgets or upward pressure on council tax	Work closely with NHS to ensure appropriate budget transfer and full knowledge of current and future spending pressures. Monitor budget and spending closely and identify strategies to meet any additional resource requirements.

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
Reduction in Dedicated Schools Grant following review of existing formula and possible introduction of a national model for distribution between schools	3	4 1% reduction in DSG = £1.5m	12	Additional pressure on schools budgets	Respond to consultation papers and lobby Government on impact
New reimbursement arrangements after current concessionary fares fixed deals result in higher than anticipated costs	3	3 1% change = £0.1m	9	Reductions in budgets or upward pressure on council tax	Monitor national reimbursement arrangement and lobby DfT for changes Closely monitor local data including new smart-card data to inform reimbursement calculations Early negotiations with bus companies about options for new fixed arrangements
Pay assumptions for 2013/14 onwards are lower than agreed pay awards	3	4 0.25% change in pay award = £0.4m	12	Immediate impact on reserves if risk provisions prove insufficient Would require reductions in the budgets for the following	Monitor progress on pay award negotiations and wider national settlements

Risk	Likelihood of occurrence (L)	Impact (I)	Risk (L) X (I)	Possible Impact on Financial Strategy	Mitigation / Management
				year to repay reserves	
Pension costs increase at next actuarial review in 2014/15 to cover any deficit greater than anticipated	3	3 Each 0.1% additional employer contribution = £0.12m	9	Reductions in budgets or upward pressure on council tax	Implement actuarial advice on contribution rate. All employment decisions include allowance for full pension costs. Maximise contributions to pension fund where affordable

Likelihood: 1 – Almost impossible, 2 – Unlikely, 3 – Possible, 4 – Likely, 5 – Almost certain.

Impact: 1 – Insignificant, 2 – Minor, 3 – Moderate, 4 – Major, 5 – Catastrophic or fantastic.

Risk (L x I): 1-3 Low, 4-7 Moderate, 8-14 Significant, 15-25 High.

**EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE
MEETING HELD ON THE 20 SEPTEMBER 2011****GOVERNANCE COMMITTEE****4.00PM 20 SEPTEMBER 2011****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Littman (Chair), A Norman (Deputy Chair), J Kitcat, Morgan, Powell, G Theobald, Hamilton, Mears, Summers and Sykes.

28. REVIEW OF POLICY FRAMEWORK

28.1 The Committee considered a report of the Monitoring Officer concerning a review of the content of the council's existing policy framework and to recommending amendments to full Council.

28.2 Councillor G Theobald welcomed the opportunity to debate the content of the policy framework at full Council and advised that the Conservative Group would consider whether to propose any additions to the list.

28.3 Councillor Morgan questioned whether there was an existing Youth Justice Plan and if so, whether it had been through Overview & Scrutiny and Council approval.

28.4 The Monitoring Officer explained that where an item in the policy framework existed, Full Council approval was required; however, it was possible that items had become obsolete, but that the Functions and Responsibilities Regulations had not been updated by the Government.

28.5 RESOLVED –

- (1) That Governance Committee review the council's existing policy framework which is set out in Part 3.1 of the constitution and reproduced at Appendix 1, by considering whether the list of plans and strategies that comprise the framework is correctly worded and up to date; and
- (2) That, in light of their review, Governance Committee agree the amended policy framework set out in Appendix 2, reflecting the analysis in paragraphs 3.4 and 3.5 below, and recommend its adoption by Full Council.

Council20th October 2011**Agenda Item 30**

Brighton & Hove City Council

Subject:	Review of Policy Framework		
Date of Meeting:	20 September 2011 Governance Committee 20 October 2011 Full Council		
Report of:	Monitoring Officer		
Contact Officer:	Name:	Abraham Ghebre-Ghiorghis	Tel: 29-1500
	Email:	abraham.ghebre-ghiorghis@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report invites Governance Committee to review the content of the council's existing policy framework and to recommend amendments to Full Council.

2. RECOMMENDATIONS:

- 2.1 That Governance Committee review the council's existing policy framework which is set out in Part 3.1 of the constitution and reproduced at Appendix 1, by considering whether the list of plans and strategies that comprise the framework is correctly worded and up to date; and
- 2.2 That, in light of their review, Governance Committee agree the amended policy framework set out in Appendix 2, reflecting the analysis in paragraphs 3.4 and 3.5 below, and recommend its adoption by Full Council.

3. RELEVANT BACKGROUND INFORMATION

- 3.1 The Local Government Act 2000 and associated regulations provide that certain local authority functions may only be exercised by Full Council. One such function is that of approving or adopting certain plans and strategies collectively known as 'the policy framework'.
- 3.2 The plans and strategies comprising the policy framework fall into one of two categories:
- (i) those which must by law be approved or adopted by Full Council;
 - (ii) those which the council has determined are to be approved or adopted by Full Council
- 3.3 The existing content of both categories are set out in Part 3.1 of the constitution and, for ease of reference, reproduced at Appendix 1.

3.4 It is recommended that the following amendments be made to the list of plans and strategies in the first category above (i.e. paragraph 3.2(i)). These amendments merely update the list to reflect the current statutory position. The council has no power to determine which plans and strategies are included.

- (i) 'Best Value Performance Plan' be deleted. The requirement to produce the plan was abolished when the Comprehensive Performance Assessment was replaced by the Comprehensive Area Assessment (CAA). In June 10 the government announced that the CAA itself would be abolished.
- (ii) 'Children and Young People's Plan' be deleted as the statutory basis for this plan has been revoked.
- (iii) 'Community Strategy' be amended to 'Sustainable Community Strategy'
- (iv) 'Plans with Development Plan Document status which together comprise the Local Development Framework and the Waste and Minerals Development Framework' be amended to 'Plans with Development Plan Document status'

3.5 It is recommended that the following amendments be made to the list of plans and strategies in the second category above (i.e. 3.2(ii)). Full Council has complete discretion over which plans and strategies are included in this list.

- (i) 'Food Law Enforcement Service Plan' be amended to 'Official Feed and Food Controls Service Plan' to reflect the current name for this plan.
- (ii) 'The plan and strategy which comprise the Housing Investment Programme' be deleted, as the requirement for this programme no longer exists.
- (iii) 'Adult Learning Strategy' be deleted. This plan is produced by the Brighton & Hove Learning Partnership and largely relates to services which are not council-specific and therefore not appropriate for approval by Full Council.
- (iv) 'Sustainability (Local Agenda 21) Strategy' be amended to 'Sustainability (Local Agenda 21) Strategy (or the successor to this strategy)' as the name of original document is obsolete. A replacement strategy relating to sustainability is under consideration, and the end product will be an important document given that making Brighton & Hove the most sustainable city in the UK is a council priority, of sufficient corporate significance to warrant Full Council approval.
- (v) 'Inclusive Council Policy' be amended to 'the Council's Equality Policy and Action Plan'. What was the Inclusive Council Policy is now known as the Council's Equalities & Inclusion Policy. This itself is being revised to combine it with the Council's Single Equality Scheme and is expected to become the Council's Equality Policy and Action Plan to reflect the public sector equality duty and other obligations in the Equality Act 2010.

(vi) 'Local Area Agreements' be deleted as such agreements are now obsolete.

3.6 The proposed policy framework, as amended in accordance with paragraphs 3.4 and 3.5 above, is set out in Appendix 2.

4. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

4.1 There are no financial implications of any significance associated with this series of amendments to the council's constitution.

Finance Officer Consulted: Anne Silley Date: 19/08/11

Legal Implications:

4.2 One of the functions of Governance Committee is to consider proposed changes to the constitution and to make recommendations, based on those changes, to Cabinet or Full Council as appropriate. In this instance, since all the amendments relate to council functions, the recommendations are to be referred to Full Council.

Those functions which are the preserve of Full Council are specified in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Those referred to in paragraph 3.2(i) above are governed by regulation 4(1) and set out in Schedule 3 of the regulations; those referred to in paragraph 3.2(ii) above are governed by regulation 5(1) and set out in Schedule 4, paragraph 1 of the regulations

Lawyer Consulted: Oliver Dixon Date: 18/08/11

Equalities Implications:

4.3 The inclusion of the council's equality policy and action plan in the proposed list of plans and strategies for approval by Full Council confirms its corporate importance.

Sustainability Implications:

4.4 Under the proposed amendments to those plans and strategies which the council has determined should be approved by Full Council, the corporate strategy relating to sustainability (regardless of what title is adopted for it) will continue to require Full Council endorsement.

Crime & Disorder Implications:

4.5 The list of plans and strategies that must by law be adopted or approved by Full Council include a number that relate to crime and disorder:

- The Crime and Disorder Reduction Strategy
- The Youth Justice Plan
- Statement of Licensing Policy pursuant to the Licensing Act 2003

There are no proposals in this report to delete or change the names of these documents

Risk and Opportunity Management Implications:

4.6 None associated with this report

Public Health Implications:

- 4.7 The list of plans and strategies which the council has determined should be adopted or approved by Full Council include the following documents that relate to public health:
- Official Feed & Food Controls Service Plan
 - Health & Safety Annual Service Plan

There are no proposals in this report to delete or change the name of these documents.

Corporate / Citywide Implications:

4.8 The Council's Corporate Plan is one of the plans which the council has determined should be adopted or approved by Full Council. There are no proposals in this report to change that arrangement.

SUPPORTING DOCUMENTATION

Appendices:

1. Transcript of policy framework from Part 3.1 of the constitution
2. Proposed policy framework, as amended

Documents In Members' Rooms

None

Background Documents

None

Extract from Part 3.1 of the council's constitution, setting out the council's existing policy framework

Policy Framework

The policy framework means the following plans and strategies:

(i) those required by law to be adopted by Full Council

- Annual Library Plan
- Best Value Performance Plan
- Children and Young People's Plan
- Community Strategy
- Crime & Disorder Reduction Strategy
- Local Transport Plan
- Plans with Development Plan Document status which together comprise the Local Development Framework and the Waste and Minerals Development Framework
- Youth Justice Plan
- Statement of Licensing Policy pursuant to the Licensing Act 2003
- Statement of Gambling Policy pursuant to the Gambling Act 2005

(ii) those which the Council has determined should be adopted by Full Council as part of the Policy Framework:

- Food Law Enforcement Service Plan
- The plan and strategy which comprise the Housing Investment Programme
- Adult Learning Strategy
- City Employment and Skills Plan
- Sustainability (Local Agenda 21) Strategy
- The Council's Corporate Plan
- Inclusive Council Policy
- Health and Safety Annual Service Plan
- Local Area Agreements

Proposed policy framework, as amended

Policy Framework

The policy framework means the following plans and strategies:

(i) those required by law to be adopted by Full Council

- Annual Library Plan
- Sustainable Community Strategy
- Crime & Disorder Reduction Strategy
- Local Transport Plan
- Plans with Development Plan Document status
- Youth Justice Plan
- Statement of Licensing Policy pursuant to the Licensing Act 2003
- Statement of Gambling Policy pursuant to the Gambling Act 2005

(ii) those which the Council has determined should be adopted by Full Council as part of the Policy Framework:

- Official Feed and Food Controls Service Plan
- City Employment and Skills Plan
- Sustainability (Local Agenda 21) Strategy (or the successor to this strategy)
- The Council's Corporate Plan
- The Council's Equality Policy and Action Plan
- Health and Safety Annual Service Plan

**EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE
MEETING HELD ON THE 20 SEPTEMBER 2011****GOVERNANCE COMMITTEE****4.00PM 20 SEPTEMBER 2011****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Littman (Chair), A Norman (Deputy Chair), J Kitcat, Morgan, Powell, G Theobald, Hamilton, Mears, Summers and Sykes.

30. USE OF MOBILE PHONES, AUDIO RECORDING AND FILMING AT COUNCIL MEETINGS

- 30.1 The Committee considered a report of the Monitoring Officer concerning the use of mobile phones, audio recording and filming at council meetings.
- 30.2 The Monitoring Officer noted some minor typographical errors in the report, including a deletion in Recommendation 2.1(ii). He explained that it was necessary to find a compromise that took into account developments in technology without disrupting proceedings of council meetings; it was proposed that existing rules relating to filming be retained and that the rules relating to audio recording and mobile be amended to permit discreet use of mobile devices. He advised that the Chair would retain the discretion to order all devices to be switched off.
- 30.3 Councillor Morgan welcomed the proposal and noted that other local authorities and the Houses of Parliament were following the same approach. He accepted that mobile phones could be distracting, but that Members were able to multi-task; access to the internet would enhance proceedings and increase active participation from residents.
- 30.4 Councillor Summers noted that the Chair of a meeting would have absolute discretion to order all mobile devices to be switched off and raised concerns that this could be abused.
- 30.5 The Monitoring Officer advised that, should Member feel it necessary, Procedure Rule 31.2(iii) could be qualified so that the Chair can only order that all devices be switched off if they consider their use not to be conducive to proceedings.
- 30.6 Councillor J Kitcat stated that the proposals were necessary in order to support new ways of working and increase access to decision-making, as well

as enhancing debate by enabling Members to access information during meetings.

- 30.7 Councillor Mears highlighted the importance of the Mayor's power to use his or her discretion to make rulings when presiding over meeting of the full Council.
- 30.8 Councillor Summers moved an amendment to the recommendations, which sought to qualify Procedure Rule 31.2(iii) as per the Monitoring Officer's advice.
- 30.9 Councillor J Kitcat formally seconded the amendment.
- 30.10 Councillor G Theobald noted the benefits of the proposed changes, but reported that some Members were concerned about the distribution of extracts from web casts and advised that the changes should be kept under review in order to deal with any ongoing concerns.
- 30.11 Councillor A Norman raised concerns about the Green amendment and stressed the importance of the Chair's authority to preside over a meeting and the need to prevent a prolonged debate over such issues.
- 30.12 The Monitoring Officer confirmed that the Chair's absolute discretion could not be diluted by the amendment because it was prescribed in the Council Procedure Rules.
- 30.13 The Chair put the Green amendment to the vote, which was passed.
- 30.14 **RESOLVED** – That the Governance Committee agrees and recommends to Council:
- (1) That the existing rules relating to mobile phones and audio recording of council proceedings be amended as described in paragraphs 4 and 5 of the report; and
 - (2) That the amended Council Procedure Rule 31, as set out in Appendix 2 be approved to come into affect immediately after the conclusion of the Council meeting on 20 October 2011 **with the following amendment:**
 - 31.2(iii) The person presiding at the meeting may require all mobile phones to be switched off at any time **if they consider that the use of devices is not conducive to the proper running of the meeting.**

Subject:	Use of Mobile Phones, Audio Recording and Filming at Council Meetings		
Date of Meeting:	20 September 2011 Governance Committee 20 October 2011 Council		
Report of:	Monitoring Officer		
Contact Officer:	Name:	Abraham Ghebre-Ghiorghis	Tel: 29-1500
	Email:	abraham.ghebre-ghiorghis@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Council's Standing Order prohibit the use of mobile phones completely. The recording of council proceedings is also prohibited unless the prior consent of the person presiding at the meeting is obtained. For the purposes of this report, the expression "council meeting or "council proceedings" means a meeting of the Council, the Cabinet, Committees, Sub-Committees or Cabinet Member Meetings.
- 1.2 The rules were introduced at a time when the state of communication technology and public expectation in terms of transparency, accessibility and use of council proceedings and information was different. The rules therefore require revision to bring them up to date and reflect the council's wishes to achieve more openness and transparency. This report proposes amendments to the Council's Standing Orders to reflect the above principles.

2. RECOMMENDATIONS:

- 2.1 That the Governance Committee agrees and recommends to Council:
- (i) that the existing rules relating to mobile phones and audio recording of council proceedings be amended as described in paragraphs 4 and 5 of the report; and
 - (ii) that the amended Council Procedure Rule 31, as set out in Appendix 2 to be approved to come into affect immediately after the conclusion of the Council meting on 20 October 2011.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 The existing Council Procedure Rules (Standing Orders) regarding the use of mobile phones and recording of council proceedings are in similar terms to those adopted by most local authorities and date back to the 1980ies. Since then advances in communications technology mean that the way people use, for

example, mobile phones, and the increasing integration of information technology into peoples daily lives with the expectation that you should be able to access almost any information and transmit the same using the internet, means that the rules need reviewing to bring them up to date with the state of technology. There has also been significant changes in the law and in society's attitude generally regarding public access to and use of information held by public bodies as well as transparency of proceedings. These are reflected in the Human Rights Act 1998 (freedom of speech), the Freedom of Information Act 2000, various rulings of the Information Commissioner and guidance from Central Government. Local Authorities are beginning to question and review the restrictions in their Standing Orders to make them fit a 21st century society. This report considers three specific aspects of the rules: (1) use of mobile phones in council meetings (2) audio recording of council meetings, and (3) filming, video recording or photographing council meetings.

4. MOBILE PHONES

- 4.1 Council Procedure Rule 31.2 (attached) requires that mobile phones be switched off at all times during council meetings. The prohibition applies to members, Officers and anyone else who is present in the meeting chamber. The rule was introduced at a time when mobile phones were used mainly or exclusively for making telephone calls and was intended to stop mobiles going off during a meeting. In practice, with advances in technology (in particular text messaging, web browsing and other non-audio-based communication facilities) some of the rationale for the total ban is not as strong as it initially was and requires reconsideration. In practice, there is a growing tendency during meetings for individuals to use their mobile or Blackberry to check messages, twitter or browse the internet for quick checks. Much of this can be done discretely and, as long as it does not interfere with the proceedings, it would be disproportionate to ban it altogether. There is also an argument for saying that, as long as it is done responsibly and used proportionately, it enhances the democratic process.
- 4.2 Bearing in mind the above considerations, it is proposed that the use of mobile phones/blackberries during meetings is permitted, subject to the following:
- (a) the device should be kept on silent mode throughout the meeting.
 - (b) there should be no use of the voice facility to make calls, receive calls or check messages. Only text or non voice uses can be made of mobile phones.
 - (c) the person presiding at the meeting may require all mobile phones to be switched off at any time.
- 4.3 It is proposed that there be a general requirement that use of mobile phones at meetings be discrete, proportionate and appropriate to the circumstances. There will be an expectation and understanding that this requirement would be supported/enforced voluntarily mainly through the political group system so far as it relates to Members and through the Officer leadership in so far as it applies to Officers. The chair of the meeting will also have a key role in ensuring that any use is kept within acceptable limits and will have the power to ban mobile phones for the duration of the meeting.

5. AUDIO AND RECORDING OF COUNCIL MEETINGS

- 5.1 Council Procedure Rule 31.1 prohibits the recording of Council meetings without the prior consent of the person presiding at the meeting.
- 5.2 Given that key meetings of the Council (Council, Cabinet, Planning, OSC) are now webcast, a blanket ban on recording of proceedings can seem inconsistent, especially if those attending are informed that the proceedings may be recorded.
- 5.3 It is proposed that Council Procedure Rules be amended to allow audio recording of council proceedings unless the person presiding at the meeting decides otherwise. The person presiding at the meeting could, for example, prohibit audio recording if a member of the public attending the meeting objects for good reason or if the chair considers that, in the particular circumstances of the case, audio recording would not be conducive to an efficient running of the proceedings.

6. FILMING, VIDEO RECORDING AND PHOTOGRAPHY

- 6.1 Under the current rules, the filming of proceedings or the taking of photographs is prohibited unless the permission of the chair is obtained. There is good reason for this as, unlike audio recording, filming and the taking of photographs tend to be intrusive and more likely to distract attention or interfere with the proceedings. It is therefore proposed that the existing rules be retained so that there is a presumption against filming, video recording or taking of photographs, but that the chair be given the power to permit all or any of these at his/her discretion.
7. None of the proposals in this report will change the rules regarding the prohibition or recording or transmission of exempt proceedings (Part II meetings). The proceedings of the Licensing Committee are not affected by the proposals in this report.

8. COMMUNITY ENGAGEMENT AND CONSULTATION

- 8.1 The proposals in this report were discussed with the Leaders Group and their views incorporated.

9. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 9.1 The proposals deal with proposed changes to council procedures and there is no financial implications arising.

Finance Officer Consulted: Anne Silley

Date: 19/08/11

Legal Implications:

- 9.2 It is within the powers of the council to regulate its proceedings and the proposals are consistent with the council's commitment to more openness and transparency.

Lawyer Consulted: Abraham Ghebre-Ghiorghis *Date:* 18/08/11

Equalities Implications:

- 9.3 The limited relaxation of the procedures will make council proceedings more accessible to a wider group of individuals, especially the young, and assist Members and others with family and other interests to discreetly check, for example child care arrangements, without fear of breaking the rules.

Sustainability Implications:

- 9.4 There are no adverse sustainability implications arising from this report.

Crime & Disorder Implications:

- 9.5 There are no adverse crime & disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 9.6 There is no legal or other risk arising from the proposals and they offer the opportunity to enhance the accessibility of council proceedings by bringing our practices in line with the state of technology.

Public Health Implications:

- 9.7 There are no public health implications of any significance arising from this report.

Corporate / Citywide Implications:

- 9.8 This initiative is in line with the council's desire to see greater openness, transparency and accessibility.

SUPPORTING DOCUMENTATION

Appendices:

1. Existing Council Procedure Rule 31
2. Proposed amended Council Procedure Rule 31

Documents in Members' Rooms

None

Background Documents

None

Rule 31: Cameras/TV Cameras/Recording at Council

31.1 Subject to prior approval, which shall be at the absolute discretion of the Mayor or the person presiding at the meeting, one or more accredited representatives of newspapers* within the meaning of the Local Government Act 1972 or any other person may be permitted to film, record or transmit the proceedings at Council meetings except for that part of the meeting where the public are excluded pursuant to a resolution passed in accordance with Section 100A(2) or (4) of the Local Government Act 1972 as amended

[*representatives of news agencies, radio and television organisations etc. are included within the definition of newspaper representative].

31.2 Any person attending a meeting of the Council or of a Committee or Sub-Committee shall observe the Council's rule that mobile telephones must be switched off at all times during such meetings.

31.3 The recording of proceedings by authorised personnel for the purposes of web-casting shall be permitted, providing that the Mayor or person presiding at the meeting may withdraw such authorisation if he/she considers it is not conducive to the efficient despatch of business.

Rule 31: Cameras/TV Cameras/Recording at Council

31.1 Subject to prior approval, which shall be at the absolute discretion of the Mayor or the person presiding at the meeting, one or more accredited representatives of newspapers* within the meaning of the Local Government Act 1972 or any other person may be permitted to film, video or photograph the proceedings at Council meetings except for that part of the meeting where the public are excluded pursuant to a resolution passed in accordance with Section 100A(2) or (4) of the Local Government Act 1972 as amended

Deleted: record or transmit

[*representatives of news agencies, radio and television organisations etc. are included within the definition of newspaper representative].

31.2 Any person attending a meeting of the Council or of a Committee or Sub-Committee may use a mobile communications device and audio record and transmit council proceedings provide that:

Deleted: shall observe the Council's rule that mobile telephones must be switched off at all times during such meetings

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- (i) Any mobile communications device shall be kept in silent mode throughout the meeting.
- (ii) There should be no use of any voice facility to make calls, receive calls or check voice messages. Only text or non-voice uses can be made of mobile phones.
- (iii) The person presiding at the meeting may order that all mobile phones be switched off and any audio recording cease at anytime.
- (iv) There shall be no recording or transmission of council proceedings when exempt business is discussed or at meetings of the Licensing Committee Panels.

31.3 The recording of proceedings by authorised personnel for the purposes of web-casting shall be permitted, providing that the Mayor or person presiding at the meeting may withdraw such authorisation if he/she considers it is not conducive to the efficient despatch of business.

**EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE
MEETING HELD ON THE 20 SEPTEMBER 2011****GOVERNANCE COMMITTEE****4.00PM 20 SEPTEMBER 2011****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Littman (Chair), A Norman (Deputy Chair), J Kitcat, Morgan, Powell, G Theobald, Hamilton, Mears, Summers and Sykes.

29. AMENDMENTS TO CONTRACT STANDING ORDERS

- 29.1 The Committee considered a report of the Monitoring Officer concerning some technical modifications to Contract Standing Orders (CSOs) to address practical issues around authorisation of officers, keeping of registers and extension of contracts designed to remove bureaucracy and bring the council into line with other local authorities.
- 29.2 The Monitoring Officer explained that the existing CSOs forced the council into a state of non-compliance because it was not practical for all contracts to be entered into by a Senior Officer or authorised Contract Officer; it was proposed to align CSOs with the Scheme of Delegation to Officers. It was also proposed to combine the register of declarations of interests relating to contracts with other registers of interests to create one single register, and also to give Strategic Directors the power to extend contracts valued about the EU threshold in exceptional circumstances to preserve continuity of service.
- 29.3 Councillor Mears stated that the council should maintain a register of officer interests in order to increase openness and transparency and allow members of the public to scrutinise officer interests alongside those of Members. She questioned whether all contracts were being properly supervised by procurement officers and at what point Cabinet Members became involved in the process.
- 29.4 The Monitoring Officer advised that research had shown that no other local authorities maintained a public register of officer interests, but that the Standards Committee Working Group was taking the idea forward and considering the best approach. He explained that amending the CSOs did not prejudice the ongoing work of the Procurement Strategy Manager to regulate practices, nor did it change the thresholds for Cabinet Member approval of contracts; Cabinet Members received regular briefings and could request for items to be brought before the Cabinet.

- 29.5 Councillor J Kitcat stated that he supported a public register of interests for Senior Officers and advised that work on centralising procurement was continuing, including proposals for a contracts database.
- 29.6 **RESOLVED** – That the Governance Committee recommends to Council that the amendments set out in paragraphs of the report and more particularly indicated in the appendix be approved and that they come into force with immediate effect.

GOVERNANCE COMMITTEE

Agenda Item 29

Brighton & Hove City Council

Subject:	Amendments to Contract Standing Orders		
Date of Meeting:	20 September 2011	Governance Committee	
	20 October 2011	Council	
Report of:	Monitoring Officer		
Contact Officer:	Name:	Abraham Ghebre-Ghiorghis	Tel: 29-1500
	Email:	abraham.ghebre-ghiorghis@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report proposes some technical modifications to Contract Standing Orders to address practical issues around authorisation of officers, keeping of registers and extension of contracts.

2. RECOMMENDATIONS:

- 2.1 That the Governance Committee recommends to Council that the amendments set out in paragraphs 3.2 to 3.7 of the report and more particularly indicated in the appendix be approved and that they come into force with immediate effect.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Monitoring Officer is required to keep the operation of the Constitution under review and bring any proposed modifications to Members' attention. The Council's Contract Standing Orders were last amended in October 2010. Since then, some issues have arisen around the detailed practical operation of Contract Standing Orders that require addressing, which are set out in the following paragraphs.
- 3.2 Before Officers can enter into contracts on behalf of the Council, they need to be one of the Senior Officers (Chief Executive, Strategic Director, Lead Commissioner, Heads of Delivery Units or Head of a Resource Units) or a "contract Officer" specifically authorised by a Strategic Officer. Contracts are not always of significant value and could include, for example, the purchase of a pencil. Strategic Directors are required to keep a register of all contract officers. In practice, given the size of the organisation, this does not happen and it has been a problem since its introduction some 8 years ago. It is therefore proposed to amend contract standing order 3.1 to remove the requirement for a register of contract officers and extend the power to authorise Officers to enter into contracts to Senior Officers (Senior Officers is defined as Lead Commissioners, Heads of Delivery Units and Heads of Resource Units.)

- 3.3 Unlike the position with the scheme of delegations, there is no mechanism for other officers to exercise the powers of a Strategic Director when he/she is unavailable or otherwise unable to act. In line with the practice relating to Officer delegations, it is proposed to amend Contract Standing Orders so that, in such cases, the relevant Senior Officer can exercise the functions of the Strategic Director regarding contracts.
- 3.4. There is a requirement for Strategic Directors and Senior Officers to keep a register of declarations of interests relating to contracts. Rather than having to keep a separate register for contracts only, it is proposed to allow them to combine this with other registers of declarations of interest that they are required to keep under the constitution.
- 3.5 Contract Standing Order 14 requires all “renewable” contracts above £75K in value to be entered into an electronic register. However, the term “renewable” is not defined. It is therefore proposed to include a definition of renewable contracts as contacts giving either party the right to extend the contract for a period beyond the normal expiry date.
- 3.6 There are occasions when a contract is about to come to an end and there is insufficient time to go through the normal procurement process risking a service interruption. Standing Order 16.3 allows the Strategic Director to extend such contacts providing the total value (including the extension) does not exceed the EU threshold (£156,442 for service contracts and £3,927,260 for works contracts.) There is no mechanism under the current standing orders to extend contracts above the threshold. In the light of experience, it is proposed that Strategic Directors be given the power to extend such contacts in exceptional circumstances to preserve continuity of service by amending Contract Standing Order 18.6 to enabling them to grant a waiver.
- 3.7 There are other minor typographical and definitional amendments which are shown in the appendix.
- 3.8 Under the constitution, amendments to contract standing orders require the approval of full Council. Governance Committee is therefore being recommended to agree the proposals and recommend them to Council.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 The Leaders Group, the Strategic Leadership Board and the Procurement Strategy Manger were consulted and their views incorporated into the report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications arising from this report.

Finance Officer Consulted: Anne Silley

Date: 19/08/11

Legal Implications:

5.2 There are no legal implications arising from this report.

Lawyer Consulted: Abraham Ghebre-Ghiorghis
Equalities Implications:

Date: 19/08/11

5.3 There are no adverse equalities implications arising from this report.

Sustainability Implications:

5.4 The proposals introduce some technical amendments to Council procedures that are unlikely to have sustainability implications.

Crime & Disorder Implications:

5.5 None.

Risk and Opportunity Management Implications:

5.6 The revised Contract Standing Orders will minimise the risk of non-compliance by removing some of the restrictions to bring them in line with good practice.

Public Health Implications:

5.7 There are no public health implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Revised Contract Standing Orders

PART 8.3 CONTRACT STANDING ORDERS

General

Contract Standing Order I: Interpretation

1.1 In these Contract Standing Orders, the following terms have the following meanings:

“Approved List”	a list drawn up for corporate use under CSO 6
“Budget Holder”	a Council Employee who is accountable for a defined budget, and is responsible for committing expenditure against that budget in accordance with the Council’s Financial Standing Orders and Regulations
“Contract Consultant”	any person not being an employee of the Council who is acting for the Council in relation to a Contract or proposed Contract
“Contract”	any agreement for the supply of goods, services, or the execution of works to or for the Council including the use of consultants but excluding the use of external solicitors and Counsel instructed by the Head of Law. The sale of land is specifically excluded from this definition of "Contract".
"Contract Officer"	a Council Employee authorised to deal with Contracts in accordance with CSO 3.1
“Contractor”	the party or potential party to a Contract
"Council"	Brighton & Hove City Council
“Council Employee”	any person employed on a permanent, temporary or agency arrangement by the Council
“CSO”/ "CSOs"	Contract Standing Order/ Contract Standing Orders
"EU"	European Union
“EU Public Procurement Directives”	EU Directive 2004/18/EC This directive consolidates all previous

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	directives relating to public works, supplies (goods) and service contracts and any Directives and Regulations by which it is applied, extended, amended, consolidated or replaced and any re-enactment thereof
“EU thresholds”	EU and Government Procurement Agreement thresholds for advertisement of goods, works and services contracts as advised by the Government (as of 1 January 2010 at £156,442 for goods and services contracts and £3,927,260, for works contracts)
"Framework Arrangements"	Zero value contracts for goods, services or works under which terms, conditions, quality standards and prices are agreed in accordance with EU Public Procurement Directives
“Lists”	Framework Arrangements and Approved Lists
“Most Economically Advantageous Tender”	A process of determining the best bid using weighted criteria. See CSO 13
"OJEU"	Official Journal of the European Union
“Procurement Guidance”	Corporate Procurement’s Codes of Practice (including the Procurement Toolkit), model contracts and other guidance which supplements these CSOs
	<u>“Procurement Strategy Manager”</u> <u>The person appointed by the Council as the Procurement Strategy Manager or any Member of the Corporate Procurement Team authorised by him/her to act on his/her behalf.</u>
“Senior Officer”	Lead Commissioner, Head of a Delivery Unit or Head of a Resource or Finance Unit
“UK Regulations”	Public Contracts Regulations 2006 (SI 5/2006) as amended
“works” “supplies” & “services”	as defined in the EU Public Procurement Directives (“supplies” are also referred to as “goods” in these CSOs)
“Strategic Director”	The Chief Executive, Strategic Directors of People, Place, Resources and Communities, the Director of Finance and the Lead Commissioner for Adult Social Care and Health.

- 1.2 The Chief Executive, after consultation with the Monitoring Officer and the Chief Finance Officer, may change the thresholds in Contract Standing Orders annually (or as appropriate) to take account of changes in the retail price index and other factors so that the effectiveness and impact of the thresholds is maintained.

Contract Standing Order 2: Compliance with Contract Standing Orders and Legislation

- 2.1 The Monitoring Officer in consultation with the Procurement Strategy Manager shall compile and maintain CSOs and advise on their implementation and interpretation.
- 2.2 Every Contract made by the Council or on its behalf shall comply with the EU Treaty, the EU Public Procurement Directives and all relevant EU and domestic legislation, CSOs, and the Council's Financial Regulations. EU and UK legislation will always override the provisions of these CSOs.
- 2.3 Contractors, Contractors' employees, subcontractors and agents utilised by the Council shall be required to, at all times, comply with the requirements of the Health & Safety at Work etc Act 1974, all secondary legislation made under that Act and all other Acts, Regulations, Orders or Rules relating to Health & Safety. All contracts shall reflect these requirements and reference to the Council's Health & Safety Code of Practice should be made in this regard.
- 2.4 The Corporate Procurement Strategy and Procurement Guidance held and disseminated by the Procurement Strategy Manager, shall supplement these CSOs, but these CSOs will always take precedence over the provisions of such Procurement Guidance.
- 2.5 It shall be a condition of any Contract between the Council and anyone who is not a Council Employee, but who is authorised to carry out any of the Council's contracts functions, that they comply with CSOs, and the Financial Regulations of the Council as if they were Council Employees.

Contract Standing Order 3: Scheme of Delegation/Authorisation

- 3.1 Each Strategic Director has unrestricted delegated power to agree to the Council entering into Contracts up to the sum of £500,000. Above this sum and before inviting expressions of interest from potential bidders Council Employees must seek approval from the relevant Cabinet Member, committee or other executive decision-making body. All Budget Holders (in relation to expenditure within their allocated budgets) ~~Senior Officers,~~ and Contract Officers authorised by the relevant Strategic Director ~~or Senior Officer~~ may agree to the Council entering into Contracts ~~of~~ up to £250,000 in value. Such authorisation may be expressed or implied from the duties attached to the Contract Officer's post.

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Deleted: Each Strategic Director shall draw up and maintain a scheme of authorisation for use within his/her area of service or function, which shall include one or more named Senior Officers, Budget Holder and Contract Officer and shall be copied to the Monitoring Officer and the Procurement Strategy Manager.

3.2 Where a Strategic Director is unavailable or otherwise unable to act, his/her functions under these Contract Standing Orders may be discharged by the relevant Senior Officer.

Deleted: A Contract Officer may be authorised to act as such by a Strategic Director or a Senior Officer. Such authorisation may be expressed or implied from the duties attached to the Contract Officer's post.

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Contract Standing Order 4: Declarations of Interests

4.1 At the beginning of any Contract process the following persons shall declare any interest, as defined in the Code of Conduct for Employees set out in the Council's constitution, which may affect the Contract process: -

- (a) all Council Employees
- (b) Contractors
- (c) Contract Consultants
- (d) any other person involved in the contract process

4.2 Strategic Directors and Senior Officers shall ensure that all Council Employees within the categories set out in CSO 4.1 and all Contract Consultants and Contractors appointed by them make written declarations of interest on their appointment and as required on any change in circumstances. Interests of Council Employees will be reviewed annually, either at the end or beginning of the financial year. The relevant Strategic Director or Senior Officer shall either certify interests as acceptable or take any necessary action in respect of potential conflicts of interest.

Deleted: Council Employees who declare a conflict of interest will take no part in the relevant contracting process.

4.3 Strategic Directors and Senior Officers shall keep completed Council Employee declarations on the register of staff declarations indicating the names and grades of those declaring an interest and the nature of their interest.

4.4 Strategic Directors and Senior Officers shall keep completed Contract Consultants' and Contractors' declarations of interest and relevant Council Employees' declarations affecting the Contract on the contract file.

4.5 If a Council Employee within the categories set out in CSO 4.1 knows that a Contract in which he/she has a pecuniary interest is before the Council, and is not the subject of an existing declaration, he/she must immediately give written notice of his/her interest to the relevant Strategic Director or Senior Officer and take no part in the contract process.

4.6 A register of interests under CSO 4 may be a separate register or form part of a general register of declarations of interest as the Strategic Director or Senior Officer considers appropriate.

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Contract Standing Order 5: Public Notices

- 5.1 Where, by virtue of these CSOs or by some other authority, public notices or advertisements are required they shall be placed in at least one relevant local publication and on the Council website ten days or more before expressions of interest are required by the Council. Where the estimated total value of the Contract exceeds £100,000, the notice or advertisement shall be placed in at least one newspaper or journal circulating among such persons or bodies who undertake such Contracts. The requirement to give notice in a local newspaper may be dispensed with if the relevant Strategic Director or Senior Officer certifies that there are insufficient Contractors in the locality.
- 5.2 All Contracts whose value exceeds the relevant threshold of the EU Public Procurement Directives shall also be advertised in OJEU.

Approved Lists, Framework Arrangements and Single Contract Lists

Contract Standing Order 6: Approved Lists

- 6.1 The Head of Property and Design may compile and maintain Approved Lists of Contractors for works and works related service Contracts (construction related Contracts), each of which is below the relevant EU threshold. The Procurement Strategy Manager may compile Approved Lists for Contractors for the supply of goods and other services as appropriate.
- 6.2 Approved Lists:
- (a) shall be established by advertised competition (subject to CSO 6.3) and where possible formalised by Framework Agreements;
 - (b) shall contain the names and addresses of all Contractors who meet the Approved List criteria.
 - (c) shall indicate the nature and value of Contracts for which the Contractors listed may be used. The value may not exceed the relevant EU threshold.
 - (d) where maintained internally by the council shall be reviewed in full at least every three years in addition to a review of the use of external providers of such lists.
- 6.3 Construction Line and standing lists of providers maintained by other public sector bodies compiled following responses to a public advertisement shall be deemed to be Approved Lists for the purpose of these CSOs.
- 6.4 In addition Strategic Directors with the assistance of the Procurement Strategy Manager may set up Framework Arrangements in line with EU Public Procurement Directives with one or more suppliers of particular types of goods or services.

- 6.5 The criteria for admission to and suspension and exclusion from internally maintained Approved Lists shall be specified in writing by: -
- (a) the Procurement Strategy Manager, for goods and services
 - (b) the Head of Property and Design for works and works related services
- 6.6 Any Contractor may, by giving written notice to the Council, withdraw from any Approved List.
- 6.7 Where there is no Approved List or Framework Arrangement, Strategic Directors and Senior Officers shall use an approved tender procedure in accordance with Procurement Guidance.

Preliminary

Contract Standing Order 7

No longer used.

Contract Standing Order 8: Contract Value and Aggregation

- 8.1 Council Employees shall estimate and record the total value of a proposed Contract net of VAT.
- 8.2 Contracts must not be artificially separated so as to circumvent the application of any CSO or of the EU Public Procurement Directives or UK Regulations.
- 8.3 The total value of Contracts for works, services or supply of goods are estimated to be the same as the total consideration to be payable over the term of the Contract by the Council to the Contractor. Where the Contract period is indefinite or uncertain then the estimated total value is calculated by assuming a four-year term.

Requirement to Obtain Tenders

Contract Standing Order 9: Tendering Procedures

- 9.1 Where procurement of goods, services or works is required and the estimated total value of the Contract is in excess of the relevant EU threshold, EU public procurement procedures will be followed as set out in the UK Regulations and these shall prevail over tendering procedures set out in these CSOs. For most goods, services and works Contracts the restricted, open, or competitive dialogue procedure will be used. For Private Finance Initiative, Public Private Partnership and similar procurement arrangements

introduced by the Government, where the total Contract value is in excess of the relevant EU threshold, the restricted or competitive dialogue procedure will be used.

- 9.2 The Council may procure goods, services or works to any value in collaboration with other local authorities or other public or voluntary sector bodies. Where the Council is the lead buyer within the consortium of the goods, works or services contracted for, these CSOs shall apply. Where the Council is not the lead buyer, procurement procedures shall follow the spirit of these CSOs, be in accordance with EU Public Procurement Directives and UK Regulations, and approved by the relevant Strategic Director or Senior Officer on the advice of either the Procurement Strategy Manager or the Assistant Director, Property and Design.

Contract Standing Order 10: Contracts Not Exceeding £25,000

- 10.1 Where the appropriate Strategic Director or Senior Officer estimates the total Contract value for goods, services or works is unlikely to exceed £25,000 (in the case of Consultants is unlikely to exceed £10,000) and there are suitable Framework Arrangements available, those Framework Arrangements shall be used. Where no Framework Arrangements are available competitive quotations in writing on the basis of Most Economically Advantageous Tender should be sought, or a commercial negotiation with one preferred Contractor may take place. In the latter case the Strategic Director or Senior Officer shall certify that Procurement Guidance has been followed and that the Council shall receive value for money.
- 10.2 Contracts with an estimated total value not exceeding £25,000 shall be evidenced in writing in simple cases by the receipt of written quotations from Contractors or by sending orders to Contractors under Framework Arrangements. In the case of consultants (whatever the value) and in all other cases formal written Contracts shall be completed.
- 10.3 Although the tendering procedures for Contracts not exceeding a total value of £25,000 are less formal than for Contracts of greater amounts, Officers should at all times bear in mind the need to seek value for money and be able to demonstrate that they have obtained it.

Contract Standing Order 11: Contracts Exceeding £25,000 and Not Exceeding £75,000

- 11.1 Where the appropriate Officer estimates the total Contract value is likely to be greater than £25,000 (in the case of Consultants greater than £10,000) and not exceeding £75,000 and one or other of the Lists is available then at least four competitive tenders in writing shall be sought from Contractors on the relevant List.
- 11.2 In the absence of Lists being available an approved tender procedure shall be used in accordance with Procurement Guidance.

- 11.3 In either case, if less than four suitably qualified tenders are available, the Contract Officer must consult with the Procurement Strategy Manager.
- 11.4 Where criteria additional to price are to be used in evaluation, these must be set out in the invitation to tender. At least two bona fide tenders must be received and the Most Economically Advantageous Tender accepted.
- 11.5 If only one compliant tender is received, the Contract Officer must consult with the Procurement Strategy Manager and provide evidence to show that the Council can obtain value for money.
- 11.6 Contracts with an estimated total value greater than £25,000 and not exceeding £75,000 shall be evidenced in writing in simple cases by the receipt of a written quotation and the delivery of an official order form, in the case of consultants and in all other cases by the completion of a formal written Contract.

Contract Standing Order 12: Contracts Exceeding £75,000

- 12.1 Where the appropriate Officer estimates that the total value of a Contract is likely to exceed £75,000 and one or other of the Lists is available, then at least five tenders will be sought from Contractors on the relevant List.
- 12.2 In the absence of Lists being available an approved tender procedure shall be used in accordance with Procurement Guidance and, where applicable, in accordance with the EU Public Procurement Directives and UK Regulations and at least five tenders must be sought.
- 12.3 If less than five suitably qualified tenders are available, the Contract Officer must consult with the Procurement Strategy Manager.
- 12.4 Where criteria additional to price are to be used in evaluation, these must be set out in the invitation to tender.
- 12.5 At least two compliant tenders must be received and the Most Economically Advantageous Tender must be accepted. Notwithstanding CSO 12.7, if only one compliant tender is received, the Contract Officer must consult with the Procurement Strategy Manager and provide evidence to show that the Council can obtain value for money.
- 12.6 In the case of Contracts with an estimated total value over £75,000 the Contract shall be in a form approved by the Monitoring Officer and shall be given under the Common Seal of the Council.
- 12.7 Where the estimated total value of the Contract is such that the Council is required by law to comply with the EU Public Procurement Directives the requirements thereof shall be complied with and the tender procedures set out in these CSOs shall be deemed to be satisfied by such compliance.

- 12.8 Decisions relating to the Contract process for Contracts exceeding the thresholds for the EU Public Procurement Directives shall be made by the Strategic Director or Senior Officer in consultation with either:
- (a) the Procurement Strategy Manager, for goods and services Contracts; or
 - (b) the Head of Property and Design for works Contracts.
- 12.9 Social care Contracts must be procured in accordance with the EU Public Procurement Directives and UK Regulations, but are otherwise exempt from CSOs 10-12 save for the requirement to demonstrate obtaining value for money.

Tendering Process

Contract Standing Order 13: Delivery Opening and Evaluation of Tenders

- 13.1 All tenders for any Contract estimated to be under a total of £75,000 in value shall be returned to the Strategic Director or Senior Officer inviting the tender (or his/her nominee), or as otherwise indicated in CSOs, in envelopes which shall bear no mark to identify the sender. The Officer shall be responsible for ensuring that a record of all such tenders received is kept.
- 13.2 For Contracts with an estimated total value exceeding £75,000 all tenders shall be returned as appropriate to the Head of Property and Design or the Procurement Strategy Manager in envelopes, which shall bear no mark to identify the sender and shall be opened by him/her at the same time in the presence of a Council Employee designated by the relevant Strategic Director or Senior Officer. The Head of Property and Design and the Procurement Strategy Manager shall each maintain a record of all such tenders received by him/her.
- 13.3 All tenders shall be opened at the same time, as soon as is reasonably practicable after the closing date, normally on the closing date. On receipt, all tender envelopes shall be endorsed with the time and date of receipt and kept secure until the time specified for tender opening. Any tender received after the specified time shall not be considered for evaluation and shall be returned promptly to the tenderer. A late tender may be opened to ascertain the name of the tenderer but no details of the tender shall be disclosed.
- 13.4 Evaluation criteria and weightings for each criterion for both the pre-qualification and the invitation to tender stages shall be determined in advance and included in the invitation to tender. Price shall always be included as a criterion, but will be used as the sole criterion only where the Strategic Director, Senior Officer or the Council Employee preparing the Contract for him/her considers this to be appropriate. Determination

of criteria at all stages shall be undertaken in accordance with Procurement Guidance.

Contract Standing Order 14: Contracts Registers

14. An electronic register of all renewable Contracts above a total value of £25,000 (and all contracts over £75,000) in value, shall be kept centrally and maintained by each Contract Officer using the Intranet or similar. Such register shall specify for each Contract the Contract number, the name of the Contractor, a summary of the works to be executed or the goods and services supplied and the Contract duration and value or estimated value. The register shall be open for inspection by any Member of the Council.

14.1 A renewable contract is a contract that gives either party the right to extend the contract for further period(s) beyond the expiry date.

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Contract Standing Order 15: Prevention of Corruption

- 15.1 A Council Employee must not invite or accept any gift or reward in respect of the award or performance of any Contract. It will be for the Council Employee to prove that anything received was not received corruptly. High standards of conduct are obligatory and corrupt behaviour will lead to dismissal.
- 15.2 The contract process shall ensure that the Council will operate strict separation of duties by ensuring that two authorised Council Employees are involved in the ordering, receiving and payment process. Except for low value orders with a value below £250, there must be a separation of duties between the person authorising an order and the person checking a written invoice or requisitioning the goods or services.
- 15.3 The following clause, (or an equivalent clause in standard forms of contract or other wording as approved by the Monitoring Officer) must be put in every written Council Contract:

“The Council may terminate this Contract and recover all its loss if the Contractor, its employees or anyone acting on the Contractor’s behalf do any of the following things:

- (a) *offer, give or agree to give to anyone any inducement or reward in respect of this or any other Council Contract (even if the Contractor does not know what has been done); or*
- (b) *commit an offence under the Bribery Act 2010; or*
- (c) *commit any fraud in connection with this or any other Council Contract whether alone or in conjunction with Council Members or Employees.*

Deleted: Prevention of Corruption Acts 1889 to 1916 or Section 117(2) of the Local Government Act 1972

Any clause limiting the Contractor’s liability shall not apply to this clause.”

Operation of Contract

Contract Standing Order 16: Contract Variation

- 16.1 Funding must be identified before any variation is approved in accordance with the Council's Financial Regulations. See Financial Regulation D.2.2.17.
- 16.2 Prior approval must be obtained from the appropriate Strategic Director after consultation with the relevant Cabinet Member, if the proposed variation would together with all other variations to the Contract:
- (a) extend the Contract value or period by 50% or more; and / or
 - (b) mean the works, services or goods to be added to or deleted from the Contract are substantially different in scope.
- 16.3 Extensions to Contracts exceeding the relevant EU Threshold shall not be permitted unless indicated in the original OJEU notice. For Contracts below the relevant EU Threshold at original award, extensions to such Contracts shall not be permitted if the revised value then exceeds the relevant EU Threshold.

Deleted: unless the Strategic Director is satisfied that the waiver is necessary in order to enable the continuation of the service until a new contract is let.

Contract Standing Order 17: Contract Award

- 17.1 No Contract may be awarded unless the expenditure involved has been included in approved estimates or on capital or revenue accounts, or has been otherwise approved by, or on behalf, of the Council. The Strategic Director or Senior Officer shall ensure that evidence of authority to spend, and the budget code to be used, is recorded on the Contract file.
- 17.2 Each Contract shall be awarded in accordance with evaluation criteria that have been adopted for the Contract. (See CSO 13.4 relating to evaluation.)

Contract Standing Order 18: Waivers of Contract Standing Orders

- 18.1 Special procedural exemptions or waivers may from time to time be given by the Cabinet, **Cabinet Member or relevant Committee** to particular classes of Contracts in line with the Council's procurement strategy, as specified in Cabinet reports.
- 18.2 Subject to CSO 18.6, in relation to Contracts estimated to not exceed a total value of £75,000, a Strategic Director may waive the requirements of any CSO, as long as
- (a) the Procurement Strategy Manager is notified as soon as possible.

- (b) the Strategic Director certifies in writing to the Procurement Strategy Manager the CSO being waived and the reasons for doing so.

18.3 Subject to CSO 18.6, in relation to Contracts estimated to exceed a total value of £75,000, a Strategic Director may, after consultation with the relevant Cabinet Member and the Procurement Strategy Manager, waive the requirements of CSOs as long as:

- (a) the waiver report (the Report) is compiled after consulting with the Procurement Strategy Manager;
- (b) the Report is issued setting out the CSO being waived and the reasons for the waiver;
- (c) the Report includes legal and financial comments and highlights, as necessary, any future commitment (whether of a financial character or not) which the Contract may entail; and
- (d) the Report justifies the method of Contractor selection so that value for money and compliance with EU and domestic law can be demonstrated.

18.4 If an emergency has been declared under the Council's emergency planning or business continuity procedures and it is not possible or practicable for a Council Employee who would normally exercise the powers of waiver under CSO 18.2 and CSO 18.3 to do so, the powers may be exercised by (i) the Council Employee who is designated to be in charge, under those procedures or (ii) any Council Employee appointed by him / her to act on his / her behalf. Further, if it is not possible or practicable for that Council Employee, before exercising the powers under CSO 18.3, to consult the relevant Cabinet Member or the Procurement Strategy Manager or to issue the necessary Report, the Council Employee may exercise the powers without doing so but shall take such steps as appear appropriate at the time to keep the relevant Executive Member and the Procurement Strategy Manager informed and shall issue the Report as soon as is reasonably practicable.

18.5 A report for information giving a digest of all waivers under CSO 18.2, 18.3 and 18.4 shall be made by the Procurement Strategy Manager covering the previous financial year annually to Cabinet.

18.6 For the avoidance of doubt, no waivers may be made so as to alter the full application of CSO 4 (Declarations of Interest), CSO 14 (Contract Registers), CSO 15 (prevention of corruption) CSO 16.3 (Contract Variation), CSO 17 (Contracts Awards), CSO 19 (Risk Management), or to CSO 20 (Negotiation standards) or if such waiver would result in a breach of EU or domestic law provided that in exceptional circumstances where the Strategic Director is satisfied that the waiver of CSO 16.3 is necessary to ensure the continuity of services, works and/or supplies which would otherwise cease, a waiver of CSO 16.3 may be made so as to permit the continuation of the services, works and/or supplies until a new contract has been let.

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- 18.7 A register of all waivers will be maintained by Property and Design and kept available for inspection by the public with reasonable notice during working hours.

Contract Standing Order 19: Risk Management

- 19.1 A database of procurement clauses that minimise unnecessary Contract risk shall be kept and maintained by [Legal Services](#).
- 19.2 Contracts with a total value exceeding the thresholds for the EU Public Procurement Directives shall not be let without reference to this database.

Deleted: the Procurement Strategy Manager.

Contract Standing Order 20: Negotiation

- 20.1 Procurement of goods, services and works shall normally be through the competitive tendering process set out in these CSOs. Under these CSOs negotiation with one Contractor is normally only permissible for very low value Contracts as set out in CSO 10 or when using the EU Competitive Dialogue Procedure under CSO 9. Where negotiation is undertaken this shall be conducted having regard to the Negotiation Code of Practice.

BRIGHTON & HOVE CITY COUNCIL

CABINET

4.00PM 14 JULY 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Randall (Chair), Bowden, Davey, Duncan, Jarrett, J Kitcat, Shanks, Wakefield and West

Also in attendance: Councillors Peltzer Dunn (Opposition Spokesperson) and Mitchell (Opposition Spokesperson)

Other Members present: Councillors Fitch, Gilbey, Hawtree, MacCafferty, Mears, Morgan, A Norman, K Norman, Simson and Wealls

PART ONE

40. CITY PERFORMANCE PLAN & BHCC ORGANISATIONAL HEALTH REPORT

- 40.1 The Cabinet considered a joint report of the Strategic Director, Resources and Strategic Director, Place concerning an overview of the Performance and Risk Management Framework (PRMF) and presenting the City Performance Plan and the Organisational Health Report.
- 40.2 Councillor Peltzer Dunn welcomed the more localised approach to performance monitoring, but questioned whether the number of proposed targets would result in a more streamlined approach. He requested that the report be forwarded to the Full Council for approval, as had been the case with the LAA.
- 40.3 Councillor J Kitcat explained that targets were not being renegotiated and that, unlike the LAA, there were no financial incentives involved. He advised that the City Performance Plan was owned by Brighton & Hove Strategic Partnership, not the council, and that final approval rested with them.
- 40.4 Councillor Mitchell advised the Overview & Scrutiny Commission had considered the documents thoroughly.
- 40.5 The Chair stated that he was happy to refer the report to the Full Council for endorsement, but that the agreement of the Strategic Partnership would be required.
- 40.6 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That Cabinet notes the new Performance and Risk Management Framework for the council.
- (2) That Cabinet endorses the City Performance Plan and recommends it to the Public Service Board (PSB) for final agreement.
- (3) That Cabinet approves the Organisational Health Report as being an appropriate suite of indicators to support the Strategic Leadership Board's management of the organisation.

Subject:	City Performance Plan & BHCC Organisational Health Report		
Date of Meeting:	14 July 2011		
Report of:	Strategic Director, Resources Strategic Director, for Place		
Contact Officer:	Name: Paula Black	Tel: 29-1740	
	E-mail: paula.black@brighton-hove.gov.uk		
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

1.1 In response to the council's restructure and changing requirements from Central Government the performance and risk management framework for the organisation has been reviewed and changed. In developing the approach lessons have been learnt from the previous national requirements ensuring these new arrangements focus on meeting local priorities and making a difference to residents and the city. The principal changes to the new framework are that it is:

- based on how we can best support delivery of the city's outcomes
- brings risk and performance management together
- has a clear 'golden thread' through from staff performance reviews to the city's Sustainable Community Strategy

1.2 This report provides an overview of the Performance and Risk Management Framework (PRMF) and presents the City Performance Plan and the Organisational Health Report.

2. RECOMMENDATIONS:

2.1 That Cabinet notes the new Performance and Risk Management Framework for the council.

2.2 That Cabinet endorses the City Performance Plan and recommends it to the Public Service Board (PSB) for final agreement.

2.3 That Cabinet approves the Organisational Health Report as being an appropriate suite of indicators to support the Strategic Leadership Board's management of the organisation.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Performance and Risk Management Framework

3.1.1 The component parts of the Performance and Risk Management Framework (PRMF) are:

- Sustainable Community Strategy
- City Performance Plan
- BHCC Corporate Plan
- Strategic Risk Register
- Service Delivery Performance Compacts
- Team Business and Risk Management Plans
- Individual Performance Reviews (all staff)

A summary of the PRMF is provided in Appendix 1.

3.1.2 The changes to the city and the council's Performance and Risk Management Framework (PRMF) centre on the following two new key areas:

- **City Performance Plan:** This plan reports on how the city is doing in terms of achieving its key objectives. Previously, the city and Central Government used the Local Area Agreement (LAA) as a tool to measure its performance on city issues. Following the abolition of the LAA by the Coalition Government the city has taken the opportunity to generate a new much more localised and outcome driven performance plan. The new City Performance Plan is led by the priorities and outcomes defined in the Sustainable Community Strategy (SCS) which was refreshed in 2010. The plan will measure and report against indicators that demonstrate if the Strategic Partnership is achieving change on the outcomes as set in the SCS.
- **BHCC Organisational Health Report:** This plan reports on how the organisation is doing in terms of key measures around our finance and general organisational management, our workforce and meeting the needs of our customers. The city council Organisational Health Report (OHR) therefore sets out a suite of indicators that will support the Strategic Leadership Board in its management of the organisation.

3.1.3 To improve performance, reduce risk and eliminate duplication the new framework has integrated both risk and performance management. As part of this the Strategic Risk Register has been aligned with the new organisational structure and integrated with each part of the performance management framework.

3.1.4 The business plan template has also been amended to reflect the council's new structure and the new performance and risk management framework.

3.2 City Performance Plan

3.2.1 The City Performance Plan will be the main mechanism by which the Strategic Partnership will monitor and manage the city's performance against the

outcomes defined in the Sustainable Community Strategy. The Plan is provided in Appendix 2.

- 3.2.2 Where appropriate, and locally relevant, indicators from the 2008-11 Local Area Agreement (LAA) have been used in order to continue to measure these trends. However, it has also been an opportunity to discard any indicators from the National Indicator Set that were not considered useful or relevant. Targets will be set by attaching statutory targets where these exist. In other cases trend data from previous years will form the basis for new targets. These will be agreed in conversation with thematic partnerships and partner organisations.
- 3.2.3 The plan will be reported to the Strategic Partnership, the Public Service Board, Cabinet and Overview and Scrutiny Commission every six months. Once targets are attached to the Plan it will be returned to Overview and Scrutiny Commission.
- 3.2.4 There is no financial reward attached to the City Performance Plan. The Strategic Partnership is not required to report progress against the plan to Government.
- 3.2.5 The city council is leading the development of the Plan on behalf of the Public Service Board and Strategic Partnership. Each thematic partnership submitted its content for the plan as have officers from B&HCC and partner organisations. The Public Service Board and the Strategic Partnership will give final approval to the plan.
- 3.2.6 The Plan will be reviewed and updated annually as new intelligent commissioning work takes place.

3.3 BHCC Organisational Health Report

- 3.3.1 The council's organisational health report builds on similar reports from previous years and is provided in Appendix 3. The full suite of indicators for 2011/12 has been built following discussions with officers from across the council in Resource, Finance, Delivery and Commissioning Units. Through these discussions the indicators have been reviewed and challenged to ensure that they are robust and meaningful and will produce progress reports that help Strategic Leadership Board and the Corporate Management Team (CMT) manage the organisation. The set will change as needs demand but it is felt that the number of indicators monitored is about right and should not increase significantly. Targets will be set by attaching statutory targets where these exist. In other cases trend data from previous years will form the basis for new targets. These will be agreed with Lead Commissioners, Heads of Delivery Units, Finance and Resource Units as appropriate.
- 3.3.2 Together all 40 indicators demonstrate how the organisation is performing, however 24 have been prioritised for 2011/12. It is envisaged that through the year as performance is monitored, reported and managed the indicators prioritised may change. Progress reports on priority indicators will be considered by SLB monthly and reports on the full suite of indicators will be reported every six months to Cabinet and Overview & Scrutiny.
- 3.3.3 We are currently working on the inclusion of further indicators for sustainability, equalities and B&HCC salary ratios.

4. CONSULTATION

- 4.1 Each thematic partnership was responsible for contributing and confirming the outcomes and indicators for their relevant parts of the City Performance Plan. In addition, BHCC Lead Commissioners and Heads of Delivery were given opportunity to contribute and clarify the outcomes and indicators relevant to their responsibilities. Discussion was also held with the Third Sector Reference Group for Intelligent Commissioning and the three political groups within the council. The Plan was also discussed at the June meeting of the Overview and Scrutiny Commission.
- 4.2 All members of the Corporate Management Team were given the opportunity to comment on the indicators for inclusion in the Organisational Health Report. In addition, individual meetings were held between the corporate performance team and officers across Resource and Finance Units to challenge and clarify the indicators for inclusion in the OHR. All three political groups within the council also had opportunity to comment on the OHR. The OHR was also discussed at the June meeting of the Overview and Scrutiny Commission.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The Performance & Risk Management Framework supports the identification of all potential financial impacts of risks which can then be reflected in medium term financial plans and budget strategies; these are continually updated to reflect changing assumptions and likelihood of risk. The performance measures within the Organisational Health Report and City Performance Plan will enable progress during the year to be reviewed with strategic partners.
- 5.2 The council's Section 151 Officer also has regard to risk assessments in developing the medium term financial strategy and budget strategy. Section 25 of the Local Government Act 2003 requires the Chief Finance Officer of a local authority to report on the robustness of the estimates included in the budget and the adequacy of the reserves and contingencies for which the budget provides.

Finance Officer consulted: Anne Silley Date: 01/06/11

Legal Implications:

- 5.3 There are no legal implications arising from this report. Local Area Agreements and the National Indicator Set were abolished in October 2010. Everything that Local Authorities are required to provide to Central Government is now contained on the Single Data List which individual service areas collate and provide with support from the Performance Team.

Lawyer consulted: Elizabeth Culbert Date: 06/06/11

Equalities Implications:

- 5.4 An underlying principle of the city performance plan is that it focuses on the significant issues for the city, some of which are about tackling the inequality experienced by of our residents.

- 5.5 The council's organisational health report includes equalities indicators. These have been advised and recommended by the commissioner for equalities and communities.

Sustainability Implications:

- 5.6 The City Sustainability Partnership contributed to the sustainability outcomes and indicators for inclusion in the City Performance Plan. These are most notable in the section 'Living within Environmental Limits'. However, as reported in the Sustainable Community Strategy sustainability issues are embedded across the strategy's priorities and as such are reported across various parts of the City Performance Plan i.e. transport and the economy.
- 5.7 The BHCC Organisational Health Report includes specific sustainability indicators that will measure the organisation's performance on sustainability. These have been advised by relevant officers in the Finance and Resource Units. We are currently exploring the inclusion of further indicators for sustainability.

Crime & Disorder Implications:

- 5.8 The City Performance Plan includes a specific section on outcomes and indicators for crime and disorder. These have been suggested and confirmed with the Crime and Disorder Reduction Partnership.

Risk & Opportunity Management Implications:

- 5.9 Accompanying the City Performance Plan a city risk register has been developed.
- 5.10 Appropriate risk and opportunity indicators have been included in the BHCC Organisational Health Report as advised and recommended by the council's risk and opportunity manager.

Corporate / Citywide Implications:

- 5.11 The City Performance Plan is a partnership document. It is owned by, and the responsibility of, the Local Strategic Partnership and the Public Service Board. Therefore, CPP progress reports have implications for all public sector partners in the city.
- 5.12 Performance reporting on the council's Organisational Health Report will have specific implications for the council's target operating model as well as for specific teams within Resource and Finance Units as well as Delivery Units and the Commissioning Unit.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Through consultation with CMT and SLB the proposed Performance and Risk Management Framework is deemed to be the most suitable model.

- 6.2 Possible alternative options to developing the City Performance Plan included not developing a plan. This was deemed unsafe and unwise by the PSB.
- 6.3 Possible alternative options to developing an Organisational Health Report for the council included not developing a plan. This was deemed unsafe and unwise by the Corporate Management Team.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The council needs to ensure that it has a robust performance and risk management framework that meets the needs of the new structure and model of working.
- 7.2 As the council is one of the key and lead organisations of the Public Service Board and Strategic Partnership Cabinet is recommended to endorse the City Performance Plan to demonstrate the council's commitment and co-operation to performance management of city issues.
- 7.3 Cabinet is recommended to endorse the Organisational Health Report to ensure the council has an up to date, robust and relevant set of measures for monitoring and managing the organisation's performance as a whole.

SUPPORTING DOCUMENTATION

Appendices:

- 1. Performance and Risk Management Framework Summary
- 2. City Performance Plan 2011/12
- 3. BHCC Organisational Report 2011/12

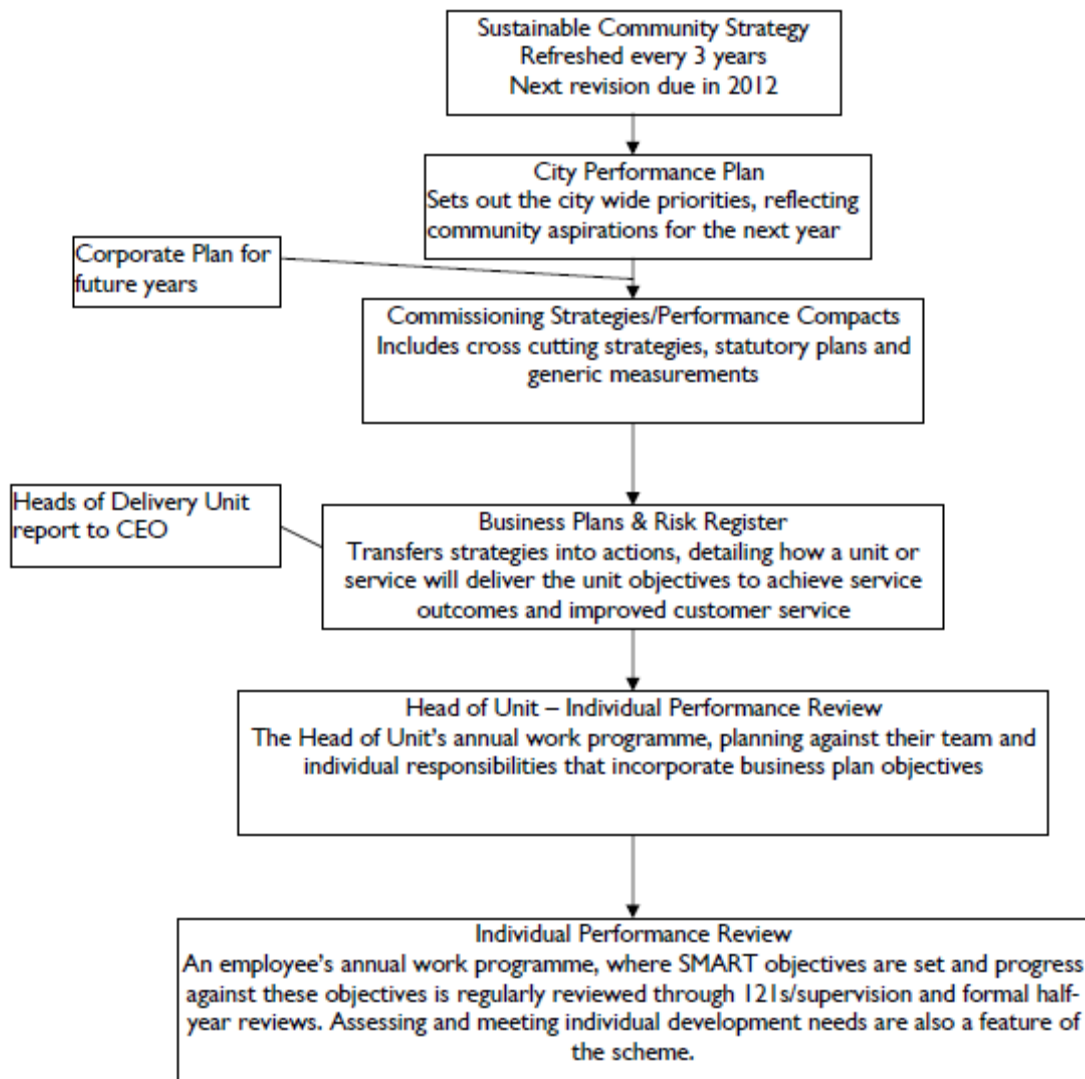
Documents In Members' Rooms

None

Background Documents

None

Performance and Risk Management Framework Summary



Sustainable Community Strategy

Our city’s overarching plan is the Sustainable Community Strategy, which outlines a shared vision of ‘Creating the City of Opportunities’ and is agreed by Brighton & Hove’s Strategic Partnership (LSP). It sets out the long-term intentions to improve economic, social and environmental well-being now and into the future. It is a 20 year strategy that is refreshed every three years. The vision is supported by 8 priority areas that are set with extensive input from public sector agencies, businesses, the voluntary sector, residents and community interest groups. The priority areas for 2009-2012 are:

- 1) Promoting enterprise and learning
- 2) Reducing crime and improving safety
- 3) Improving health and well-being
- 4) Strengthening communities and involving people
- 5) Improving housing and affordability
- 6) Living within environmental limits and enhancing the environment
- 7) Promoting sustainable transport

8) Providing quality advice and information services

Brighton & Hove's City Performance Plan.

The key delivery plan for the Sustainable Community Strategy is Brighton & Hove's City Performance Plan. The Plan details the measures we will deliver against, with our partners, to meet the city priorities. It provides an essential 'umbrella' for policy and service planning at every level and thereby helps to ensure that our daily activity is focused on local priorities.

Numerous partnership plans are also compiled, mapping out agreements between us and our partners to achieve shared objectives and targets set in line with the Sustainable Community Strategy and the City Plan, in specific areas. Examples include the Youth Justice Plan and the Crime & Disorder Reduction Partnership Strategy.

Commissioning Strategies and Performance Compacts

Performance Compacts flow from the City Performance Plan, the council's Strategic Risk Register and specific service delivery and commissioning arrangements. The Compacts are an agreement between commissioners and delivery units and set out the Service Level Outcomes that delivery units are required to meet in working toward strategic outcomes.

Business Plan and Risk Register

The compacts are in turn underpinned, at an operational level, by each Unit's Business Plan and Risk Register. Both levels of plan will:

- Reflect the relevant commitments in the Sustainable Community Strategy, City Performance Plan and other statutory and partnership plans e.g. Local Transport Plan
- Ensure services are planned in the context of continually improving customer access, satisfaction and outcomes
- Have regard to organisational improvement objectives and other key internal agendas, including VfM, Investors in People (IIP) and the requirements of the Equality Standard
- Consider other information sources, for example the results of staff feedback (staff survey), complaints data and service-specific consultations

This will help to prioritise where efforts should be focused, thereby establishing the unit and service objectives, and determine how capacity should be built and resources developed and allocated.

Individual Performance Reviews (IPRs)

The work-plan element of the IPR turns the business plans into tangible and measurable actions for individuals. They sit within the context of the business plans, forming the final tier of the framework. IPRs are completed at two levels, namely manager and individual. Manager IPRs must provide the operational work programme of the team, encompassing both the actions arising from their unit's and service objectives and the team's 'steady state' work (e.g. health and safety requirements), as well as outlining any individual responsibilities and objectives. These, in turn, will direct the specific work duties of each staff member that will contribute to the achievement of service

outcomes and improved customer service. Progress is discussed and agreed every six months and documented in IPRs.

City Performance Plan 2011/12

Introduction

The **City Performance Plan** reports on the high level outcomes agreed in Brighton & Hove's Sustainable Community Strategy, Creating the City of Opportunity. It provides a current reflection of what we are aiming to achieve across the city and how will do it, and will enable the Strategic Partnership and citizens to assess how well the outcomes in the SCS are being delivered.

The City Performance Plan will:

- report 6 monthly on how successfully the Partnerships are delivering what they have set out to do in the Sustainable Community Strategy
- contain a series of measures that the Partnership draws upon to evidence progress against the identified outcomes

Partnership performance will be led in the city by the Public Service Board and ownership of the outcomes rests with the Local Strategic Partnership and its Thematic Partnerships.

The CPP for 2011/12 is an interim plan to allow for the significant changes taking place both nationally and locally, in particular with the council's move to a commissioning model. It is likely to be revised late in 2011 for 2012, following detailed outcomes work which will take place over the year. Following this it will be refreshed annually.

The Partnership will manage risks to try to make sure the identified outcomes in the CPP can be achieved. This involves:

- Identifying the risks which make a difference to achieving outcomes. Often these are negative things that could "go wrong", but sometimes taking risks can lead to positive opportunities which could make things even better than expected
- Assessing the likelihood of the risk happening and the potential impact on outcomes if it did. Those risks that are relatively more likely with a bigger impact are the ones that will be focused on
- Deciding what action to take to manage risks, who is going to do it and by when

Across the city of Brighton & Hove we will work together to manage risks, including setting up a city-wide risk register. This is to focus effort and action in areas which are most important, to make sure the outcomes for the city are delivered.

As the SCS was written before the general election and due to the decisions taken concerning the rapidity of the austerity measures that we now have in place, there will inevitably be a number of outcomes that will now have to be deemed 'aspirational' in 2011/12 rather than achievable due to budget constraints.

Next Steps:

Following approval of the plan (mid July) the performance team will work with partnerships and key local authority officers to identify appropriate targets against which performance can be measured and reported.

CPP Outcomes and Indicators

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1. Promoting Enterprise & Learning

Our aim: a vibrant, socially and culturally diverse place with a wide range of job opportunities supported by accessible child care. A city that supports businesses to grow, encourages investment, innovation and a healthy and sustainable economy, and actively promotes learning and training opportunities for people of all ages.

1.1 Sustain and grow the business base

We intend to develop strong international trade and to have a globally competitive creative and environmental industries sector. We aim for this to be a city that attracts visitors from across the UK and near Europe. We want to develop a thriving social enterprise sector.

We will know if we have achieved these by:

- 1.1.1 At least one pan-Local Economic Partnership (LEP) export project developed
- 1.1.2 Growth in digital media businesses
- 1.1.3 Improving the visitor economy; increase size of visitor economy per £m (L4)
- 1.1.4 Deliver the outcomes of the Social Enterprise Strategy

1.2 Encourage Investment and Innovation

We want the city to have a reputation as a prime business location, a place to invest and innovate. Developers will contribute towards employment and training. We aim to continue the city's strong conference economy, and to promote job creation.

We will know if we have achieved these by:

- 1.2.1 Increase in number of businesses relocating to the city (promotion strategy developed implemented and monitored) (Clear, well received inward investment rapid response service established)
Number of substandard commercial premises upgrade (developed in partnership with commercial property owners)
- 1.2.2 Deliver the outcomes from the Building Futures (BUFU) Local Employment Scheme
Training agreements developed for all key sites
- 1.2.3 Increase in conference £
- 1.2.4 Deliver the CESP outcomes relating to internationalisation and entrepreneurship
Developer contributions toward employment & training (sustain/continue/increase)

1.3 Culture of learning and training for people of all ages

We intend that children and young people will leave full-time education with the skills, qualifications and knowledge to secure suitable employment, apprenticeship or to progress in their education. Every child and young person should have the opportunity to access excellent and inclusive child care and education. We want to raise the adult literacy rate in the city and have a digitally literate and accessible city.

We will know if we have achieved these by:

1.3.1 Achievement of 5 or more A*- C grades at GCSE or equivalent including English and Maths

Reduce the number of young people aged 16 – 18 who are Not in Employment Education or Training (NEET)

Increase the proportion of young people achieving a level 2 qualification by the age of 19

1.3.2 Narrowing the gap between the lowest achieving 20% in the Early Years Foundation Stage (EYFS) and the rest

Achievement gap between pupils eligible for Free School Meals (FSM) and their peers at Key Stage 2 and 4

KS4 attainment for BME groups

Special Educational Needs (SEN) /non-SEN gap achieving 5 A*-C GCSEs including English and maths

Care leavers in education employment or training

Inequality gap in the achievement of a level 2 qualification by the age of 19

1.3.3 Reading and Writing groups in city libraries

1.3.4 Free ICT use in libraries

1.4 Reduce Child Poverty

We aim to reduce numbers of children living in poverty and mitigate impact of poverty on their life chances.

We will know if we have achieved these by:

1.4.1 Children living in poverty (NI 116)

Take up of formal childcare amongst low income families

1.5 Vibrant, socially and culturally diverse city

We want Brighton & Hove to have a reputation as a leading cultural city. All residents should have opportunities to engage and participate in the city's sport and cultural offer. The city should continue to develop thriving arts and cultural businesses.

We will know if we have achieved these by:

1.5.1 A rich and diverse festival programme

1.5.2 The percentage of adults who have attended or participated in arts activities / events at least 3 times in the last 12 months (NI011)

Participation in sport by children and young people/ number of young people using sports facilities

No of adults participating in on & off site activities

No of families participating in on & off site activities

1.5.3 Economic impact of cultural quarter to visitor economy

Economic impact of individual major arts events

2. Reducing Crime & Improving Safety

A place in which children, young people and adults can be and feel safe by the fair enforcement of the law and preventing and reducing crime and fear of crime.

2.1 Root causes of crime are addressed

We aim to reduce alcohol misuse and alcohol-related disorder, and reduce drug misuse and drug related offending.

We will know if we have achieved these by:

2.1.1 Number of patients seen at A&E as a result of an assault or alcohol-related incident

Number of alcohol-related hospital admissions (NI 039)

Police recorded assaults with injury

2.1.2 Class A Drug Related Offending (NI 038)

No of drug users recorded as 'in effective treatment' (NI 040)

Number of serious acquisitive crimes

2.2 The city's physical and social infrastructure is resistant to crime and disorder and people feel safer

We intend to improve the physical environment, physical and social infrastructure, and community resolution. We aim for citizens to have an improved feeling of safety and improved quality of life.

We will know if we have achieved these by:

- 2.2.1 Police recorded criminal damage offences
Fire service recorded primary and secondary non-accidental fires
NI 195 (street appearance)
- 2.2.2 % of people feeling safe in day and after dark in their local area
% of people feeling safe in day and after dark in the city centre
- 2.2.3 Improved resilience to violent extremism among individuals, institutions and communities (self assessment utilising one of the strands of NI 35) - (subject to change pending outcome of nation review of Prevent Programme expected May 2011)

2.3 Risks for children, young people and families are reduced

We aim to deter young people from criminal activity and to reduce youth crime.

We will know if we have achieved these by:

- 2.3.1 Reduce the number of first time entrants to the youth justice system
- 2.2.2 % of families, those community members negatively affected, and other stakeholders who feel that the situation has improved since the work of the Family Intervention Project began.

2.4 Victims feel safer and their risks are reduced

We intend to ensure increased safety for domestic violence sufferers; to prevent and reduce sexual violence and abuse; to reduce racist/religiously motivated, LGBT and disability hate crime; and reduce anti social behaviour in the city.

We will know if we have achieved these by:

- 2.4.1 % domestic violence victims seen at the Multi-Agency Risk Assessment Conference (MARAC) who have been seen previously by the MARAC (last 12 months) (NI 32) - **Measure under discussion**
- 2.4.2 Sexual violence and abuse - measure under development
- 2.4.3 No of racist and religiously motivated hate incidents and crimes
No of disability motivated hate incidents and crimes (central database)
Increased levels of confidence and satisfaction by LGBT communities in statutory services' responses to hate incidents (on-line survey to be implemented during 2011/12)
- 2.4.4 Perceptions of anti-social behaviour (NI 17)

2.5 Offenders are deterred/ prevented from re-offending

We aim to reduce offending by prolific and other offenders.

We will know if we have achieved these by:

- 2.5.1 Fewer convictions of prolific and other priority offenders over a 12 month period (NI 30) (Interim)

To be subsequently replaced by a measure relating to the 'Integrated Offender Management' cohort of offenders – measure under development

3. Improving Health & Wellbeing and reducing ill health inequalities

A place where there is a shared vision to improve health, care and well-being for everyone living and working in the city and for generations to come, by improving the conditions which influence our health, and by promoting healthy lifestyles, treating illness, providing care and support and reducing inequalities in health.

Overarching Target

- To reduce differences in life expectancy between communities. This is to be measured by a slope index of inequality in life expectancy, separately for men and women (Healthy Life Expectancy)

3.1 Tackling the wider determinants of health (Improving the conditions that improve health)

We want to ensure that people in Brighton & Hove enjoy a high quality of working life. We want to encourage positive health behaviour through an active living approach in community and workplace settings. We will apply the principles and approaches of Healthy Urban Planning to developments in the city

We will know if we have achieved these by:

- 3.1.1 Work sickness absence rate (city-wide measure in development)
- 3.1.2 Adults taking part in sport (NI008)
- 3.1.3 There should also be cross-reference to other measures in the CPP as follows:
- Housing (eg NI 158, NI 187, NI 158)
 - Transport (eg NI 47 & 48, NI 175, 176)
 - Planning (eg policy re Lifetime Homes)
 - Sustainability (eg Access to green space)

3.2 Helping people to live healthy lifestyles

We will try to help people to live healthy lifestyles.

We will know if we have achieved this by:

- Smoking prevalence in adults (4 week quitters)
- Prevalence of healthy weight in 4-5 (Reception) and 10-11 year olds (Y6)
- Adults taking part in sport (NI008)
- Number leaving drug treatment free of drug(s) dependence
- Rate of Hospital admissions per 100,000 for alcohol related harm
- Number of people offered and taking up talking therapy sessions (LAA L16)
- Chlamydia diagnosis rates per 100,000 young adults aged 15-24 (in development)
- Under 18 conception rate

3.3 Preventing ill health – shared between Public health, NHS, Adult Social Care, Children’s services (clinical)

Work will take place across the Partnership towards prevention of ill health.

We will know if we have achieved this by:

- Screening uptake (of national screening programmes)
- Childhood immunisation rates
- Breastfeeding initiation and prevalence at 6-8 weeks after birth
- Maternal smoking prevalence
- Hospital admissions caused by injuries to under 5s
- Acute admissions as a result of falls or fall injuries for over 65s (need to check if this is currently a target) Chlamydia diagnosis rates per 100,000 young adults aged 15-24
- Proportion of persons presenting with HIV at a late stage of infection
- Take up of NHS Health Check programme by those eligible
- Increase access to and uptake of pharmacy based supervised consumption and increase the proportion of people receiving treatment within primary care, especially within outlying areas of the city

3.4 Healthy life expectancy and preventable mortality (preventing people from dying prematurely)

We will know if we have achieved this by:

- Suicide rate
- Mortality rate from communicable diseases
- Mortality rate from CVD in persons less than 75 years old
- Mortality rate from cancer in persons less than 75 years old
- Mortality rate from Chronic Liver disease in persons less than 75 years old

- Mortality rate from chronic respiratory diseases in persons less than 75 years old
- Excess seasonal mortality

3.5 Improving care and support

We will enable people who need social care and support services to live with maximum independence and in safety. We will provide personalised care services which promote choice, control and independence for service users and carers. We will support into training and employment people with social care needs. We also aim to improve planned discharge rates for clients.

We will know if we have achieved these by:

3.5.1 NI 131 delayed transfers of care

Permanent admissions to residential and nursing care homes

The proportion of people who use services who say that those services have made them feel safe and secure

The proportion of people who use services and carers who find it easy to find information about support

Context information:

- Additional information about outcomes for people accessing these services, focusing on reablement, transitional care, telecare and daily living equipment

3.5.2 NI 130 % of service users receiving Self Directed Support (target 30%?)

NI 135 Carers receiving needs assessment or review and a specific carer's service, or advice and information

Clients receiving community based services who have been reviewed (target 85%)

Context information:

- The proportion of people who use services who have control over their daily life
- Clients receiving community based services who have been reviewed target 85%
- Reablement measure to follow - such as Intermediate Care Services target NI 125 of 85% (% of people still at home 90 days after received ICS)
- Draft measure: % of carers who report improvements in their wellbeing following a carers break/service - outcome survey for carers who have had self directed support - in development, pilot ongoing
- Service user and carer outcome survey with services

3.5.3 NI 146 Adults with learning disabilities in employment

NI150 Adults receiving secondary mental health services in employment

Numbers of service users with a Learning Disability supported into voluntary work.

Information for context:

Number of disabled people provided with an employment and training within the Supported Business

Number of disabled people supported in employment

Number of disabled people provided with employment and training within Supported Business

Number of disabled people supported in employment

3.5.4 Numbers of service users provided with day services

Numbers of service users with a Learning Disability provided with Community Support.

Person Centred Plans for people with a Learning Disability - annual audit

3.6 Promote health and well being and reduce health inequality for children and young people

We aim to provide a robust and confident protection pathway that protects children and young people who are at risk of maltreatment, harm, neglect and/or sexual exploitation. We will address the needs of vulnerable children and young people where families are affected by adult substance or alcohol misuse, domestic violence, mental health or learning disability. Children looked after by the authority will have stability, security and be well cared for. All children are to have access to high quality healthcare including specialist services for the most vulnerable. Young people will be helped to make positive choices about their sexual health, their lives, to minimise risk-taking behaviours, especially alcohol use and substance misuse.

We will know if we have achieved these by:

3.6.1 Reduce emergency hospital admissions caused by unintentional and deliberate injuries to children and young people

Percentage of initial assessments for children's social care carried out within 10 working days of referral

3.6.2 Reduce the child protection rate per 10,000

Increase the number of children and young people receiving a Common Assessment Framework (CAF) intervention

Percentage of children becoming the subject of Child Protection Plan for a second or subsequent time

Reduce the Looked After Children (LAC) rate per 10,000

LAC reviews within timescales

- 3.6.3 Reduce the no. of children placed 3+ times
 - Percentage of LAC Reviews with positive participation
- 3.6.4 Increase % receiving the one year health visitor check
 - Child and Adult Mental Health Services (CAMHS)
- 3.6.5 Levels of alcohol and substance misuse (SAWAS survey)
 - Substance misuse treatment services
 - Hospital admissions for alcohol/drugs

4. Strengthening Communities & Involving People

Our aim: a place where communities are strong, inclusive and cohesive and have opportunities to get involved and influence decision making. A place where individuals are able to take advantage of opportunities to improve their quality of life. A place where the third sector is thriving to enable and support community engagement and provide services to diverse communities.

4.1 Strong, Inclusive, Cohesive Communities

We want to ensure the city has communities with shared values and a strong sense of belonging to Brighton & Hove. To help develop a culture of active citizenship in the city, and create opportunities for individuals and communities to take more control over the issues that affect their lives in order to meet their needs, contribute to their economic and social opportunities and build active and inclusive communities. There should be engagement opportunities for all sections of the community.

We will know if we have achieved these by:

- 4.1.2 Participation in regular volunteering
- 4.1.3 CDC outcomes
 - NI 004 % people who feel they can influence decisions in their locality
 - CVSF outcomes
- 4.1.4 % of people from equalities strands engaged in community action

4.2 Opportunities for people to get involved and influence decision making

The Partnership wants strong engagement structures that widen and deepen involvement of local communities, for children and young people to feel they can influence decisions that affect their lives and are involved in the review and design of services. There should be high quality and consistent community representation and influence across the public sector and partnership. Services should be improved and make better use of resources.

We will know if we have achieved these by:

- 4.2.1 % of people who feel they can influence decisions in their locality
- 4.2.2 % of young people and children who fee they can influence decision making
- 4.2.3 (additional measure to follow)
- 4.2.4 No. of CVSF rep attending meetings
- 4.2.5 Customer Service user satisfaction
 - Satisfaction with engagement opportunities

4.3 Individuals are able to improve their quality of life

We want to ensure that Individuals and communities have access to the information, advice and support they need to develop their confidence, skills, knowledge and ability to: participate in community life; engage with services and decision-making; and come together to take action for themselves.

We will know if we have achieved these by:

- 4.3.1 NI 004 % people who feel they can influence decisions in their locality
 - NI 006 participation in regular volunteering

4.4 Support a Thriving Third Sector – Indicators to be confirmed

We aim to provide high quality and accessible support services for the third sector, to have city commissioning & funding regimes that value the benefit, contributions and diversity of the sector. There must be good practice in cross-sector partnership working. Strong, sustainable community-led or owned buildings, with clear community benefit. An informed voluntary and community sector engaged collaboratively in neighbourhood and citywide decision making. A strong and resilient voluntary and community sector that delivers high quality services for individuals and communities in the city

We will know if we have achieved these by:

Indicators to be confirmed

5. Improving Housing & Affordability

Our aim: enabling healthy homes, healthy lives and a healthy city that reduces inequality and offers independence, choice and a high quality of life.

5.1 Improving Housing Supply

We will best use of the housing stock, increase the supply of affordable rented housing and identify opportunities to improve and develop deprived neighbourhoods. We will provide

opportunities for households to move to larger homes or downsize as their needs change, and we will help households become homeowners.

We will know if we have achieved these by:

- 5.1.1 Number of new homes developed for low cost home ownership
Effective uptake of low cost home ownership options by local people
- 5.1.2 Minimum of 10% of new affordable homes to be family sized (25% on suitable sites)
Secure under occupation funding and free up 80 larger homes per annum
- 5.1.3 Reduced deprivation and improved resident satisfaction with their neighbourhood
Pipeline of sites suitable for housing from being available through to being in development
- 5.1.4 Under-occupation measure to be developed
- 5.1.5 Develop 130 new affordable rented homes per annum
Develop new affordable rented family sized homes Minimum of 10% of new affordable homes (25% on suitable sites)
Develop new affordable rented housing for wheelchair users 10% of all new affordable housing to meet wheelchair standard

5.2 Improving Housing Quality

We will work with home owners and landlords to maintain and improve the quality of their housing. We will develop the Brighton & Hove standard for high quality and well maintained council housing and improve tenants' homes to ensure that they meet the standard. We will work with owners to bring more of the city's long term empty homes back into use. We will ensure that new housing is developed to the latest standards.

We will know if we have achieved these by:

- 5.2.1 NI 187a&b
Tackling fuel poverty - people receiving income based benefits living in homes with a low energy efficiency rating (N.B this measure subject to confirmation of any issues arising with survey)
70% of all vulnerable people in the private sector living in decent homes by 2010
- 5.2.2 NI 158 % of decent council homes
- 5.2.3 BV 64 Empty private sector properties brought back into use
- 5.2.4 Planning Policy HO13 'Accessible housing and Lifetime Homes': 100% of all new homes meet the standard

New housing meet or exceed Level 3 of the code for sustainable homes standard (Level 4 preferred)

Planning Advice Note PAN03 'Accessible housing and Lifetime Homes': 10% of all new affordable housing meets the standard

5.3 Improving Housing Support

We aim to support households to make informed choices about their housing options, provide adaptations and support to households and their carers. We will work to prevent homelessness and rough sleeping. We will also work to ensure student housing provides a positive contribution to students' lives and the city.

We will know if we have achieved these by:

5.3.1 Measures to be developed

- Private landlords offering homes for rent through the magazine
- Develop a register of adapted properties
- Develop and publish a housing options guide for people with a Learning Disability

5.3.2 Reduced time from adaptation request to completion of work

Increased supply of accessible temporary accommodation for those in need

5.3.3 The number of cases where homelessness was prevented by casework; target more than 780 per year

Reduce the number of rough sleepers (L24)

5.3.4 Reduce or halt over concentrations of HMO across neighbourhoods

Improved environment in student areas and surrounding neighbourhoods (place survey replacement?)

6. Living within Environmental Limits and enhancing the environment

We aim to aspire to a healthy, just society, living within environmental limits by achieving a sustainable economy, promoting good governance and using sound science responsibly.

We will know if we have achieved these by:

6.1 A reduction in greenhouse gas emissions:

- NI 186 and Gas and electricity consumption data: domestic, commercial and industrial.

6.2 Improved planning across the city for the risks and opportunities of climate change:

- NI 188 Planning for Climate Change Adaptation

6.3 A reduction of waste and increased levels of reuse, recycling and composting:

- NI 191 Residual household waste
- NI 192 Waste sent for reuse, recycling and compost

6.4 Increase and conserve levels of biodiversity in the city:

- Publication of the Local Biodiversity Action Plan
- Designation of Local Wildlife Sites for the city, which will involve an intensive survey of all known important wildlife sites in the city
- Launch of 'CityWildlife', a website devoted to local biodiversity to promote public engagement.

7. Promoting Sustainable Transport

Our aim: an integrated and accessible transport system, that enables people to travel around and access services as safely and freely as possible while minimising damage to the environment and contributing to a safer, cleaner, quieter and healthier city.

7.1 Support Economic Growth:

To support national economic competitiveness and growth, by delivering reliable and efficient transport networks

We will know if we have achieved this by:

- Peak period traffic flows
- NI 167 – Congestion
- NI 176 - Access to employment by public transport
- Bus services running on time

7.2 Equality of Opportunity:

To promote greater equality of opportunity for all citizens, with the desired outcome of achieving a fairer society

We will know if we have achieved this by:

- Affordable, regular, freely accessible transport indicator to be confirmed
- NI 175 Access to services

7.3 Climate Change:

To reduce transports emissions of carbon dioxide and other greenhouse gases, with the desired outcome of tackling climate change

We will know if we have achieved these by:

- Reducing NO2 emissions
- Reducing CO2 emissions
- NI 167 Congestion
- NI 177 Increase bus patronage
- Peak period traffic flows

7.4 Better Safety and Security and Health:

To contribute to better safety and health and longer life-expectancy by reducing the risk of death, injury or illness arising from transport and by promoting travel modes that are beneficial to health.

We will know if we have achieved these by:

- NI 47 Killed and Seriously Injured (KSI)
- NI 48 Child KSI
- Total slight casualties
- Cycle trips
- No of pedestrian movements (increase walking)
- Reducing NO2 emissions
- Reducing CO2 emissions

7.5 Quality of Life:

To improve quality of life for transport users and non-transport users, and to promote a healthy natural environment

We will know if we have achieved these by:

- NI 175 Access to services
- Bus services running on time

8. Providing Quality Advice and Information Services

Our aim: a place where residents can readily access free advice and information that they can rely on in order to help them to deal with difficult situations, avoid dependency on services and achieve their aspirations.

8.1 A city where residents can readily access free advice and information

Advice Services partnership is a new partnership which is currently working on priorities and indicators. Indicators which address key elements of financial exclusion will be developed during 2011/12.

DRAFT

Organisational health report – progress update

Background

The Organisational Health Report has in previous years been the report that contained indicators that reflected the performance of parts of the Strategy and Governance Directorate.

This was taken as a starting point and management were asked to submit their ideas of key organisation wide indicators for inclusion in the new OHR.

This wider list was reviewed and an SLB priority subset was produced for the main focus of the new Organisational Health Report. This work highlighted those that were to be reported on a monthly basis and those less frequently. The desire for a dashboard style report has been difficult to achieve and work is on-going to facilitate this. Much of the focus so far has been in working with data suppliers to identify sources of information and ensure quality.

The Indicators

FINANCE	Data Available
Progress towards achieving value for money (VFM) savings targets	Not yet
% variance taken from targeted budget management (TBM) reporting	Not yet
% variance on corporate critical budgets	Not yet
The percentage of all supplier invoices that are paid within 30 calendar days of receipt (BV008 - Org Health)	Yes
Percentage of invoices from SME (Small or Medium Enterprises) and individuals that are paid within 10 working days of receipt (BV008 local - Org Health)	Yes
Percentage of council tax collected (BV009 - Org Health)	Yes
Percentage Business Rates Collected (BV010 - Org Health)	Yes
The percentage of all supplier invoices that are paid within 30 calendar days of receipt (BV008 - Org Health)	Yes
Percentage of invoices from SME (Small or Medium Enterprises) and individuals that are paid within 10 working days of receipt (BV008 local - Org Health)	Yes
WORKFORCE	

Employee stability index. i.e the number of staff that leave the council within the first year of service. (HR MIS/recruitment)	Yes
The number of leavers from the council	Yes
The number of new starters to the council	Yes
Average sickness days lost per head (BV012 - Org Health)	Yes
Spend on Agency workers vs. target	Yes
The % of posts occupied by agency workers and consultants	Yes
NEW HR cases for Grievance, Disciplinary, Capability, Probation and Sickness	Yes
PLACEHOLDER - Pay ratio Indicator showing the ratio between the lowest and highest paid officer	Under development
Percentage of the top 5% of earners that are women (BV011a – Org Health)	Yes
Percentage of the top 5% of earners from an ethnic minority (BV011b – Org Health)	Yes
Percentage of the top 5% of earners with a disability (BV011c – Org Health)	Yes
Percentage of the top 5% of earners declaring that they are Lesbian, Gay or Bisexual	Yes
Percentage of employees declaring they meet the Disability Discrimination Act (BV016 – Org Health)	Yes
% of employees declaring that they are Lesbian, Gay or bi-sexual	Yes
Percentage of staff from an ethnic minority (BV017a – Org Health)	Yes
The level of the Equality Standard for Local Government to which the authority conforms (BV002 Org Health)	Yes

CUSTOMER – under development

The number of stage 1 complaints received	Yes
The number of stage 2 complaints received	Yes
Complaints referred to the Local Government Ombudsman	Yes
The number of Compliments received	Yes
% of queries resolved at the first point of contact (sample based)	No
Satisfaction out of 10 - ICE to advise specifics of indicator, the current focus is on volumes by access channel	No consistency but will report what is

	available
Contact volumes compared to target (no targets set so far but ICE measure contact volumes on key areas)	No consistency but will report what is available
External calls against 80 / 20	No
% of people satisfied with the way the council runs things (place survey)	Yes

PROCESS

kg of waste per household (NI191)	Yes
Percentage of waste recycled (NI192)	Yes
Tonnes Municipal waste to landfill (NI193)	Yes
Health Safety and Wellbeing - Total Incidents	Yes
Health Safety and Wellbeing - RIDDOR reported incidents	Yes
Corp Risk Register summary of actions	Not yet
Percentage of authority buildings open to the public with all public areas suitable for and accessible to people with disabilities (BV156 - Org Health)	Yes

Indicators that have been removed from the proposed list

- % Value/Failure demand (manual sample based measure)
- Average end to end process time (manual sample based measure)
- Face to face waiting time
- E-mails against 48 hours turnaround
- CO2 emissions due to council operations
- Reduction in water consumption in council buildings
- % NOx and primary PM10 emissions through Local Authority Operations
- Planning for climate change (self assessment)

Assessment of the current data availability gaps

Finance gaps are mainly down to the finance closedown process reporting will begin from July following TBM2.

Customer gaps are more significant – Complaints data is available in some detail but the other customer measures are not as easily available. The Performance Team is working with the Customer Programme Manager and SOCITM to deliver some customer channel benchmarking against 5 similar local authorities. This work should enable us to close some of the customer measurement gaps and integrate some element of cost per channel indicators, we will review the effort required to produce these. This work will

be undertaken throughout May with full benchmarked data being available late July.

A template customer satisfaction survey has been set up on the consultation portal and will be offered to services to add as a link to email communications.

Other Gaps we could take the opportunity to pull out of the compacts the key indicators of organisational success in achieving our outcomes.

There is also a need to include some sustainability indicators as a way of galvanising support across the organisation for some of the key elements of the EMS.

Next Steps

The corporate Performance Team have developed an action plan to manage closing the reporting gaps.

NOTICE OF MOTION**CONSERVATIVE GROUP****REDUCING THE NEGATIVE IMPACT OF ROADWORKS IN BRIGHTON & HOVE**

“This Council recognises that street works by utility companies and highway authorities are necessary in order to provide and maintain the essential services and transport networks on which the residents of Brighton & Hove depend. However, it also recognises that the traffic congestion caused by such works also carries a considerable cost to residents, businesses and visitors - nationally, it is estimated that roadworks cost the economy £4 billion a year.

This Council notes:

- (a) The success of Permit Schemes, such as those introduced by the Mayor of London, in leading to a more co-ordinated approach to roadworks and to significant reductions in disruption to residents and businesses.
- (b) The current Government consultation paper – New Roads and Street Works Act 1991 – Lane Rental Schemes – which advocates the use of lane rental schemes on the most critical parts of the highway network to incentivise those undertaking street works to do so more quickly and at less disruptive times of the day.

Therefore, this Council agrees in principle that a Permit or Lane Rental Scheme could bring enormous benefits to residents, businesses and visitors in Brighton & Hove and requests that the Cabinet Member for Transport and Public Realm:

- (a) brings a report to his CMM by the end of the year, considering the feasibility of introducing a Permit and/or Lane Rental Scheme in Brighton & Hove; and
- (b) Responds positively to the consultation on Lane Rental Schemes and urges the Government to expand the pilot scheme to allow local authorities such as Brighton & Hove, who don't meet the current criteria, to take part.”

Proposed by: Cllr. Andrew Wealls

Seconded by: Cllr. Geoffrey Theobald

Supported by: Cllr. Tony Janio, Cllr. Garry Peltzer Dunn, Cllr. Denise Cobb, Cllr. Ann Norman, Cllr. Ken Norman, Cllr. Carol Theobald, Cllr. Vanessa Brown, Cllr. Lynda Hyde, Cllr. Brian Pidgeon, Cllr. Dee Simson, Cllr. Jayne Bennett, Cllr. Geoff Wells, Cllr. Mary Mears, Cllr. David Smith, Cllr. Brian Oxley, Cllr. Dawn Barnett

Council	Agenda Item 34(b)
20 October 2011	Brighton & Hove City Council

NOTICE OF MOTION

LABOUR & CO-OPERATIVE GROUP

SCHOOL PLACES

“This council recognises the concern shared by parents and school staff in West Hove and Portslade over the provision of future Primary School places.

It notes the significant rise in the numbers of children needing Primary School places and that in the next academic year, the city will not have enough Reception Year places for the numbers of children requiring them and the provision of adequate numbers of Junior stage places for children in Portslade is not yet resolved.

The council also notes that the planned expansion of four Primary Schools and the continued use of the Connaught Centre to provide some Infant class-rooms will still not provide the future numbers of places needed.

It recognises that following a policy of continual expansion of existing Primary Schools is not sustainable, does not provide the best learning environment for young children and over-large schools are not popular with parents.

It understands the pressing need for a new Primary School in Hove within three years as part of a well thought through strategy for the future of school places in the city.

The council regrets that under the Coalition Government’s policy the only options available for the creation of a new Primary School in Hove are as an Academy or a Free School and shares the Administration's concerns with this national policy.

However the council places a greater priority on ensuring that the city’s young children are able to learn in the best quality, modern settings that can be provided for them with governance arrangements that place the running of the school firmly with parents and the local community, working in partnership with staff and the LEA.

The council notes the positive, ethical values of Co-operative Trust Schools and the model's growing success with Co-operative Trust Academy Schools in Manchester, Stockport and Nottingham, being run in partnership with their Local Education Authorities and universities and believes that this ethical and co-operative model of education would prove beneficial and popular with parents, children, teachers and communities in Brighton & Hove while retaining strong links with the LEA and other schools.

Therefore resolves to request the Cabinet:

- a) To immediately pursue a well-thought through strategy to meet the increasing demand for school places;

- b) To meet this increased demand for school places by pragmatically working within the limits imposed by central Government; and
- c) To specifically consider the creation of a Co-operative Academy Trust model for a new primary school in Hove.”

Proposed by: Cllr Anne Pissaridou

Seconded by: Cllr Alan Robins

Supported by: Cllrs Gill Mitchell, Warren Morgan, Les Hamilton, Bob Carden, Brian Fitch, Jeane Lepper, Craig Turton, Mo Marsh, Leigh Farrow, Penny Gilbey

Council	Agenda Item 34(c)
20 October 2011	Brighton & Hove City Council

NOTICE OF MOTION

LABOUR & CO-OPERATIVE GROUP

OPPOSE THE NATIONAL PLANNING POLICY FRAMEWORK

“This council notes the growing and widespread opposition to the Coalition Government’s proposed National Planning Policy Framework. Groups such as the National Trust, the Campaign for Rural England, the RSPB, The Daily Telegraph and even the WI are calling for significant changes to be made or for the scrapping of the proposals in their entirety.

This council has concerns that under the new proposals there will be less opportunity for local people and local authorities to shape their town and city planning frameworks, as the NPPF will contain a ‘presumption to build’ that has to be incorporated into all planning and development stages.

This council notes that the National Planning Policy Framework (NPPF) severely weakens our planning system, which currently protects local people from unsafe, unsightly and unsustainable development. It departs from this council’s previous policy based on the physical capacity of the city to accommodate balanced development on brownfield sites, incorporating the demands of the local economy, housing and the necessary infrastructure.

This council supports a more streamlined planning system to encourage more economic growth, but notes that cutting around 1000 pages of planning policy down to nearly 50 is overly excessive, stripping away protection for residents and leaving little left but a charter for developers and barristers.

This council shares many of the popular concerns which have been voiced in opposition to the proposed plans, but in particular how the following issues will affect residents in Brighton & Hove directly:

- Lack of clarity in planning rules covering hotels, leisure and tourism, potentially giving developers free rein to build hotels wherever they please across the city;
- Abolition of planning guidance which currently protects our city from flooding, potentially leading to an increased flood risk and possibly leaving homes uninsurable;
- Weakening of conservation protections which currently preserve the historic glory of Brighton & Hove's distinctive Victorian buildings; the very architecture of which keeps the city unique and attracts tourists;
- Scrapping of protection for our local and unique shopping streets and independent city centre shops, as planning changes will encourage

developers to build out-of-town shopping centres and retail parks, increasing car journeys, traffic congestion and pollution;

- Placing more pressure to build on our currently locally protected urban fringe;
- A lack of clarity over the term 'sustainable development' leading to a reduction in high quality, sustainable building design;
- A lack of emphasis in relation to affordable housing provision;
- A lack of recognition for the provision of supporting infrastructure.

This council also shares concerns expressed by The Argus, that these reforms could simply see Brighton & Hove become a "southern suburb of London; a giant housing development by the sea".

This council therefore resolves to request the Chief Executive to:

- Write to Greg Clark MP, Minister for Planning with a copy of this motion, expressing our grave concerns with the National Planning Policy Framework, its potential impact on Brighton and Hove and emphasising how much the city and its council values and wishes to protect the green spaces that make up the urban fringe on the edge of the city; and
- Write to Brighton & Hove's Members of Parliament, asking them to lobby the government to recognise the specific problems regarding the land constraints for Brighton and Hove and to amend its plans that will have such a negative impact on the city and its residents."

Proposed by: Cllr Warren Morgan

Seconded by: Cllr Gill Mitchell

Supported by: Cllrs Les Hamilton, Bob Carden, Alan Robins, Anne Pizaridou, Brian Fitch, Jeane Lepper, Craig Turton, Mo Marsh, Leigh Farrow, Penny Gilbey

Council	Agenda Item 34(d)
20 October 2011	Brighton & Hove City Council

NOTICE OF MOTION

GREEN GROUP

NEW MEASURES NEEDED TO ADDRESS HOUSING CRISIS

“This council expresses its concern at the range of ineffectual policies introduced by the Coalition Government to address the housing crisis facing Brighton and Hove and the rest of the nation. Furthermore, it believes Ministers should stand back and pause and reflect as they have done in other policy areas and reconsider their proposals.

It therefore requests the Chief Executive of Brighton and Hove City Council to write to Chancellor of the Exchequer George Osborne and Communities Secretary Eric Pickles urging them to take action to deal with the housing crisis by:

1. Diverting a proportion of the £75 billion of quantitative easing away from the banks and devoting it to launching a national social housing building programme of 100,000 homes a year over the next three years, to shorten the national housing waiting list and create thousands of jobs and apprenticeships and training in the building industry, the building supply chain and professional services like architects and surveyors;
2. Ending the sale of council homes and abandoning their proposals to increase Right to Buy discounts for council tenants; and
3. Abandoning plans to introduce 80 per cent market rents for new housing association homes and relets and new council homes, which will lead to increased housing hardship and homelessness.

It also calls on the city’s three MPs to lobby Ministers in support of the council’s case on these three points.”

Proposed by: Cllr Liz Wakefield

Seconded by: Cllr Bill Randall

Supported by: Cllrs Kennedy, Davey, Buckley, Bowden, Deane, Duncan, Follett, Hawtree, Jarrett, Jones, A Kitcat, J Kitcat, Littman, MacCafferty, Phillips, Powell, Rufus, Shanks, Summers, Sykes and West.

Council	Agenda Item 34(e)
20 October 2011	Brighton & Hove City Council

NOTICE OF MOTION

GREEN GROUP

PUBLIC SERVICE PENSIONS

“This council notes the Coalition Government's attack on public services pensions in general and local government pensions in particular. It further notes Ministers' proposals to increase member contributions in the Local Government Pension Scheme (LGPS).

Despite reassurances in consultation papers recently released by the Department for Communities and Local Government, there is great concern at members being forced to pay more so soon after re-negotiating terms.

At the same time, the Government's earlier decision to link pension increases to the Consumer Price Index (CPI) rather than the Retail Price Index (RPI) will result in LGPS members losing up to 25 per cent in the value of their pensions during the next 25 years.

This council believes the effect of these proposals will lead to many local government workers leaving the LGPS because they will find it unaffordable. This will affect the long term viability of LGPS and lead to its possible collapse. Research by the GMB shows that 25 per cent of council workers opt out of the LGPS for affordability reasons and in some local authorities this figure is as high as 50 per cent.

Further research shows that these government proposals, which are a Treasury tax on pension savings, could lead to 50 per cent or more of LPGS members opting out. This will lead to more low paid public service workers swelling the ranks of the 1 in 6 UK pensioners who, according to Age Concern, already live in retirement poverty. An increase in the state benefit bill will inevitably follow.

This council therefore resolves to:

- (1) Support the trade unions and others in their campaign to protect local government pensions and to provide all pensioners with a Living Pension; and
- (2) Ask the city's three MPs and the City Council's Chief Executive to write to the Chancellor of the Exchequer George Osborne and Communities Secretary Eric Pickles urging them to:
 - End their attack on public service pensions by scrapping their plans to increase contributions and by retaining the link between pension increases and RPI;

- Increase all state pensions above the official poverty level of £178 a week in line with the recommendations of the National Pensioners Convention.”

Proposed by: Cllr Phelim MacCafferty

Seconded by: Cllr Ruth Buckley

Supported by: Cllrs Kennedy, Davey, Randall, Bowden, Deane, Duncan, Follett, Hawtree, Jarrett, Jones, A Kitcat, J Kitcat, Littman, Wakefield, Phillips, Powell, Rufus, Shanks, Summers, Sykes and West.