

**BRIGHTON & HOVE CITY COUNCIL  
POLICY & RESOURCES COMMITTEE**

**4.00pm 29 NOVEMBER 2012**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Bowden, Hamilton, Mitchell (Opposition Spokesperson), A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson) and West

**PART ONE**

**71. PROCEDURAL BUSINESS**

**(a) Declarations of Substitutes**

71.1 Councillor Bowden declared that he was substituting for Councillor Wakefield.

**(b) Declarations of Interest**

71.2 Councillor Bowden declared a personal and non-pecuniary interest in Items 91 and 100 as he was a trustee of the Brighton Festival & Dome.

**(c) Exclusion of Press and Public**

71.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of the items listed on Part 2 of the agenda.

71.4 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the items listed on Part 2 of the agenda.

**72. MINUTES**

72.1 The minutes of the last meeting held on the 11<sup>th</sup> October 2012 were approved as a correct record of the proceedings and signed by the Chair.

**73. CHAIR'S COMMUNICATIONS**

73.1 The Chair stated that he wished to thank Catherine Vaughan for her work and support as Acting Chief Executive during the transition period.

- 73.2 The Chair stated that he was also pleased to note the signing of a development agreement on Circus Street and the successful outcome of a bid to obtain £840k to expand communal recycling in the city. He stated that the council had been invited to bid in the second wave of 'City Deals' which, if successful, would see the Government devolve powers in exchange for responsibility for delivering growth locally.
- 73.3 The Chair reported that he had signed a joint letter with the Leaders of Southampton and Portsmouth to the Secretary of State for Local Government raising concerns over the Government's proposals for council tax.
- 73.4 Finally the Chair reported that the council's 'Future Cities Demonstrator Project' bid to the Technology Strategy Board had not been successful and therefore Item 82 on the agenda was withdrawn.

#### 74. CALL OVER

- 74.1 The following items on the agenda were reserved for discussion:

- Item 77 - Targeted Budget Management (TBM) 2012/13 Month 7
- Item 78 - Treasury Management Policy Statement (incorporating the Annual Investment Strategy) 2012/13 Mid-year Review
- Item 79 - Budget Update and Savings 2013/14
- Item 80 - Council Tax Discounts and Exemptions Reform
- Item 81 - Council Tax Support System – Proposed Final Scheme
- Item 83 - Three Year Strategic Grants 2013-16: Decision on Full Bid Applications
- Item 84 - City Performance Plan and Organisational Health Report 2012/12 6 – Month Update
- Item 85 - Draft Sustainability Plan
- Item 86 - Advertising & Sponsorship
- Item 87 - Living Wage Accreditation
- Item 91 - Royal Pavilion and Museums Catering Contract
- Item 92 - Highway Gully and Soakaway Cleansing Contract Re-tendering of Service
- Item 94 - Metro Wireless Concession Agreement
- Item 96 - Local Discretionary Social Fund (Local Welfare Provision)
- Item 97 - Rugby World Cup 2015
- Item 99 - Advertising & Sponsorship – Exempt Category 3
- Item 100 - Royal Pavilion and Museums Catering Contract – Exempt Category 3

- 74.2 The Head of Democratic Services confirmed that Items listed above had been reserved for discussion; and that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 88 - Local Sustainable Transport Fund – Upgrade of the Real Time Passenger Information (RPTI) System
- Item 89 - Procurement of Temporary Accommodation – Framework Agreements and Approved List of Providers
- Item 90 - Insurance Tender 2013
- Item 93 - Voice and Unified Communications Services Procurement
- Item 95 - Wide Area Network – Sussex Public Services Network (The Link)

Item 101 - Part Two Minutes – Exempt Category 3

## 75. PUBLIC INVOLVEMENT

- 75.1 The Chair noted that no petitions were presented by members of the public.
- 75.2 The Chair noted that there were no written questions from members of the public.
- 75.3 The Chair noted that two deputations regarding the No. 52 Bus Service from Mr. Wedd and Miss Tsapparelli had been referred from the last Council meeting on the 25<sup>th</sup> October 2012 and moved that they be noted.
- 75.4 **RESOLVED:** That the two deputations be noted.

## 76. MEMBER INVOLVEMENT

### Petitions:

- 76.1 The Chair noted that a petition concerning the No. 52 Bus Service which had been presented by Councillor Simson at the Council meeting on the 25<sup>th</sup> October 2012 had been referred to the committee for consideration and move that it be noted;
- 76.2 **RESOLVED:** That the petition be noted.

### Letters:

- 76.3 The Chair noted that there were no letters from Members;

### Notices of Motion:

#### (a) Notice of Motion on Fuel Poverty

- 76.4 The Chair referred to the notice of motion concerning fuel poverty which had been referred from the Council meeting on the 25<sup>th</sup> October 2012 and moved that it be noted and a report be requested on the matter and the implications of signing the Local Authority Fuel Poverty Commitment.
- 76.5 **RESOLVED:** That the notice of motion be noted and an officer report requested in regard to the implications of signing the Local Authority Fuel Poverty Commitment promoted by the End of Fuel Poverty Coalition and in joining with other councils who are actively promoting co-operative energy switching schemes and to promote the benefits to this to local residents.

#### (b) Notice of Motion on 'Fracking'

- 76.6 The Chair referred to the notice of motion concerning Fracking which had been referred from the Council meeting on the 25<sup>th</sup> October 2012 and moved that it be noted and a report be requested on the implications of the council becoming a 'frack-free zone.'

- 76.7 Councillor Peltzer Dunn queried whether the current consultation process for the Waste & Minerals Local Plan should be taken into account and whether any decision to declare a 'frack-free zone' would impact on this plan.
- 76.8 The Chair noted the query and suggested that it be taken into account as part of the report to the committee.
- 76.9 **RESOLVED:** That the notice of motion be noted and the intention that Brighton and Hove should become a 'frack-free; zone be agreed in principle, subject to a report from officers to a future meeting on the implications of becoming a 'frack-free' zone.

## 77. TARGETED BUDGET MANAGEMENT (TBM) 2012/13 MONTH 7

- 77.1 The Acting Director of Finance introduced the report which outlined the forecast outturn position as at month 7 on the council's overall revenue and capital budgets for the financial year 2012/13. He stated that good progress had been made since month 5, although pressures remained in some areas such as parking revenue, homelessness, community safety and capital financing. He also drew the committee's attention to the proposed re-profiling of some HRA schemes.
- 77.2 Councillor Littman welcomed the report and thanked the officers involved for their excellent work in enabling a significant underspend to be projected. He noted that the value for money programme was running at 43% ahead of target and that would lead to further benefits across the organisation.
- 77.3 Councillor A. Norman noted the forecast underspend in HR which was welcome and the extra savings identified in Children's Services and Adult Social Care and Health budgets, which reflected good work in what were high spending areas. She also noted that there was still a projected shortfall in parking income targets and queried whether action would be taken to address this situation. She then raised a number of queries in relation to budgetary areas.
- 77.4 The Chair stated that the parking income was down and that it could be attributed to mitigating factors, such as the high level of rainfall during the summer and the summer. However, he noted that there had been increases in bus usage and off-street parking which was welcome.
- 77.5 The Acting Director of Finance stated that other areas had been affected by restructuring and a complex array of funding mechanisms which were being reviewed and would hopefully be clarified in the report at month 9.
- 77.6 Councillor Hamilton welcomed the forecast underspend and queried whether the concessionary budget for Stage Coach and Home to School Transport was being looked at, along with the dedicated schools grant as he believed there could be possible benefits. He was also encouraged by the value for money programme and wished to congratulate the officers at this stage.
- 77.7 Councillor Shanks stated that a review of Home to School Transport was being undertaken and a report would be brought to committee in the New Year.

77.8 Councillor Mitchell queried when the £2m slippage for works to the North Whitehawk High Rise would be completed.

77.9 The Strategic Director; Place stated that he would provide a time table for works for Councillor Mitchell.

77.10 The Chair noted the comments and put the recommendations to the vote.

**77.11 RESOLVED:**

- (1) That the forecast outturn position for the General Fund, which has an underspend of £3.534m be noted;
- (2) That the forecast outturn for the Housing Revenue Account (HRA), which has an underspend of £1.045m be noted;
- (3) That the forecast outturn position on the Capital Programme be noted;
- (4) That the following changes to the Capital Programme be approved:
  - (i) The budget re-profiling and budget variations as set out in Appendix 2;
  - (ii) The carry forward of slippage into the 2013/14 capital programme, to meet on-going commitments on these schemes as set out in Appendix 2;
  - (iii) The new schemes as set out in Appendix 3; and
- (5) That it be agreed that Stagecoach South be paid a fixed price concessionary fares reimbursement of £495,000 for 2012/13 and for 2013/14 the sum of £495,000 plus the average increase in RPIX for the financial year 2012/13 for the reasons set out in paragraph 3.10 of the report.

**78. TREASURY MANAGEMENT POLICY STATEMENT (INCORPORATING THE ANNUAL INVESTMENT STRATEGY) 2012/13 - MID YEAR REVIEW**

78.1 The Acting Director of Finance introduced the report which detailed the Treasury Management Policy Statement 2012/13 and the action taken during the period April to September 2012 to meet the policy statement and practices and the Investment Strategy.

78.2 Councillor A. Norman congratulated the officers involved for their work to date and stated that she believed the council had an exceptional team in Treasury Management.

78.3 The Chair thanked the officers and put the recommendations to the vote.

**78.4 RESOLVED:**

- (1) That the action taken during the half-year to meet the Treasury management policy statement and associated treasury management practices and the Annual investment strategy be endorsed;

- (2) That it be noted that the maximum indicator for risk agreed at 0.05% had not been exceeded; and
- (3) That it be noted that the authorised limit and operational boundary set by the Council had not been exceeded.

## **79. BUDGET UPDATE AND SAVINGS 2013/14**

- 79.1 The Acting Director of Finance introduced the report which set out the initial proposals for the General Fund Revenue Budget and Council Tax for 2013/14. He stated the current proposals were based on a 2% increase in council tax and noted that the Government had indicated its intention to provide financial support to those authorities who had a maximum of a 1% council tax increase. He stated that the current proposals identified a funding gap of £1.9m and options to meet that gap were outlined in the report. He also noted that the local government finance settlement was due in mid December and this would then need to be taken into account as part of the budget setting process leading up to the February Budget Council meeting.
- 79.2 The Chair stated that there had been a significant uncertainty when the budget process had started with a 10% reduction in government funding and he wished to thank all the officers and Members involved to date in bringing the report forward. The proposed 2% council tax increase would equate to around 43p for every household, and the Administration was committed to keeping libraries, children centres open, supporting the homelessness budget and grants to voluntary sector. He stated that an additional £300k had been identified to provide support for financial advice services in the city.
- 79.3 Councillor Hamilton welcomed the report and thanked the officers for their work to date, especially as not all the information was available and referred to appendix 7 of the report which showed that the public were supportive of protecting services.
- 79.4 Councillor G. Theobald stated that he believed there should be a council tax freeze and the available support from the government accepted, in order to enable this to be implemented. He also felt that more work should be done with regard to shared service provision and referred to neighbouring authorities who had undertaken such endeavours. He also referred to paragraph 3.22 of the report and queried why the two areas had been chosen for the pilot schemes when Surrenden Road was a prime example of an area that should have been included. He queried whether the fees and charges listed on page 57 of the report would see a further increase in parking charges being recommended at the Transport Committee in January.
- 79.5 The Chair stated that the council tax freeze had cost the council £3.66m to date and if there was a further freeze for 2013/13 it would add another £1m. He noted that other authorities had expressed concerns over the government's position and that Surrey County Council had chosen not to accept the freeze because of the implications for future years. He also noted that the value for money programme was ahead of target and that a report on shared services would be coming to the committee in the New Year. With regard to the two pilot schemes for parking control on verges, he believed that these had been discussed with the ward councillors.

- 79.6 The Lead Commissioner for City Regulation & Infrastructure stated that the areas had been identified as part of the work on the citywide parking review, a report on which was due to be considered by the Transport Committee in January.
- 79.7 Councillor Hamilton referred to the financial model that was shown in the graph on page 50 and expressed his concern over the picture that was indicated for resources to be available for other services. He stated that the Labour & Co-operative Group had yet to form a view on the council tax position as it was awaiting further information to be made available, including the settlement figure. He also queried whether any information was available in respect of the Police & Crime Commissioner's position for budgetary provision, as he was concerned about the levels of funding for community safety projects.
- 79.8 Councillor Mitchell stated that she hoped there could be further discussions on how the level of resources available could be utilised and how the city's position could be raised with the Police & Crime Commissioner.
- 79.9 Councillor West stated that local government was facing significant cuts and there was a need to increase council tax without accepting the freeze. He noted that the budget consultation process to date had shown that residents were supportive of a council tax increase if it could be shown to improve service provision. He therefore hoped that the proposed 2% rise would be accepted.
- 79.10 Councillor A. Norman stated that it was for the council to determine its council tax and how resources were used to provide services efficiently and effectively, as well as identifying priorities and raising them with the Police & Crime Commissioner. As a ward councillor for Withdean she had not been consulted on the proposed pilots for restring parking on grass verges.
- 79.11 The Chair stated that he was due to meet with the new Police & Crime Commissioner and would raise the question of resources. He also noted that the government was intent on significant reductions for local government spending and that added to the pressures faced by the authority.
- 79.12 Councillor G. Theobald stated that he believed there should be a council tax freeze and that as well as taking the funding from the government, the council should market test service areas, in order to help to meet the shortfall in the budget position. He also queried why it was proposed to run two pilot schemes at a cost of £125k, which could be used in other ways to support services.
- 79.13 The Chair noted the comments and put the recommendations to the vote.
- 79.14 **RESOLVED:**
- (1) That the updated forecasts for resources and expenditure for 2013/14 and an estimated budget savings requirement for 2014/15 be noted;
  - (2) That the indicative allocations of one-off resources for 2013/14 set out in table 1 of the report, subject to the identification of sufficient further one-off resources to fund the proposed allocations be noted;

- (3) That the revised savings targets for 2013/14 be noted and the budget strategies and detailed savings proposals relating to the General Fund for 2013/14 as shown in appendix 4 be agreed and released for the scrutiny review;
- (4) That the update on the HRA budget as set out in paragraph 3.41 to 4.44 and the budget strategy and proposals as set out in appendix 4 to the report be noted;
- (5) That the summary Capital Investment Programme as set out in paragraphs 3.45 to 3.50 and appendix 5 to the report and the strategy to manage the shortfall in resources and that a detailed programme will be submitted to Policy & Resources Committee in February 2013 be noted; and
- (6) That the proposed Voluntary Severance Scheme set out in paragraphs 3.37 to 3.40 of the report to support the delivery of the budget savings requirement be approved.

## **80. COUNCIL TAX DISCOUNTS AND EXEMPTIONS REFORM**

- 80.1 The Head of City Services introduced the report which outlined the results of the consultation and progress made in regard to the proposals to change the council's scheme for council tax discounts and exemptions. She informed the committee that the proposed changes would need to be approved by the Full Council and that it was hoped to take the report, if approved, to the next council meeting in December, however the required Regulations had yet to be approved by Parliament and therefore may delay matters. She stated that it was recommended to abolish second home discounts, maintain the arrangements for repairs and structural works and to have a maximum period for full discount charge of up to six weeks but with the discretion for exceptions to extend this to up to three months. She also referred to the need for a couple of amendments on page 60 to the detail in appendix 1, first bullet point which needed to have a line through the word 'example' and on page 49, third line where the figure 60% should read as 70%.
- 80.2 The Chair welcomed the report and noted the difficulties faced at the present time because of the uncertainties around the changes and the implementation of the regulations. However, he supported the proposals and hope that they would encourage the quicker turn around of properties.
- 80.3 Councillor Peltzer Dunn stated that he agreed with the proposals in principle but felt that it was not only landlords who were responsible for the management of empty properties, as people moved out of their homes whilst seeking to sell and therefore could be caught be recommendations 2.3 and 2.4 which was a concern.
- 80.4 The Chair noted the comments and stated that he hoped the discretionary rules would be used in such circumstances.
- 80.5 Councillor Ann Norman thanked the officers for the report and their hard work in enabling it to come forward at this time and stated that she supported its objectives. However she sought clarification in regard to paragraph 3.18 as she believed that Councillor Littman had written to the Secretary of State calling for changes to enable



councils to remove student exemptions and single person discounts, whereas a recent press release from the Leader of the Council stated that there was no such intention to remove these elements.

80.6 Councillor Littman stated that following the Scrutiny Panel review and a number of recommendations being made, one of which was to seek the power to be able to make such changes, he did sign a letter to that effect which was sent. However, this was an error on his part as he had not checked with his colleagues.

80.7 The Chair confirmed that there was no intention to vary the current arrangements.

80.8 Councillor Mitchell welcomed the report and added her thanks to the officers involved in producing the report and the new proposals which she felt struck the right balance.

80.9 The Chair then put the recommendations to the vote which were carried.

80.10 **RESOLVED TO RECOMMEND:**

(1) That the Council abolishes the 10% Second Home Discount, meaning that those liable for Second Homes will pay full Council Tax from 1 April 2013;

(2) That the Council retains the current arrangement for empty dwellings undergoing repair or structural work, namely that liable parties will receive a 100% discount for up to 12 months, or for 6 months after work is complete, whichever is sooner. This provision is currently known as a "Class A Exemption";

(3) That the Council introduces a period of up to six weeks 100% discount for dwellings that are empty and unfurnished, to replace the current six month exemption known as Class C;

(4) That officers will have discretion, (a) to give an additional period of up to six weeks 100% discount after a change of liable party and (b) in exceptional circumstances, to extend the six week 100% discount to an absolute maximum of three months;

(5) That the Council introduces an Empty Home Premium at the maximum 50%, meaning that those liable for empty dwellings will have to pay 150% Council Tax after two years of the dwelling remaining empty;

(6) Accordingly that the Council makes / revokes the formal determinations for the financial year commencing on 1 April 2013 as set out in Appendix 4;

(7) That the Director of Finance and other relevant officers identified in the Council's Scheme of Delegations to Officers as responsible for local taxation services and revenues and benefits, be authorised to take all appropriate steps to implement and administer the recommendations, including publishing in accordance with statutory requirements; and

(8) That the Head of Law be authorised to amend the Council's constitution by the addition in Part 3.1 (Council Functions) of a new paragraph in section 3.01 after the paragraph relating to Policy and Budget: "Council Tax: Exercising any function

which, under section 67 of the Local Government Finance Act 1992, may only be discharged by the authority.

## **81. COUNCIL TAX SUPPORT SYSTEM - PROPOSED FINAL SCHEME**

- 81.1 The Head of City Services introduced the report which detailed the proposed local council tax support scheme that the council was now required to produce and implement with effect from April 2013. She stated that officers had been working on the proposed scheme and taken account of a wide range of policy and financial issues in developing the scheme. She stated that there had been an extensive consultation exercise and that every household in receipt of council tax benefit had been contacted. She also drew attention to a number of amendments that were required following the publication of the report; paragraph 5.17 should have a figure of £20.8m in the first line and in the third line, £1.6m should read as £1.4m and £1.8m should be £1.6m. In regard to appendix 2, page 125 of the recommendations from the Scrutiny Panel, she stated that item should read as being 'not agreed' rather than 'agreed.' In regard to this point, she also wished to give a personal apology as it had led to the letter referred to earlier being drafted and sent to Councillor Littman as Deputy Chair for signature and subsequently being sent when it should not have been.
- 81.2 The Head of City Services noted that the proposed scheme would be run for a transitional period of one year and would need to be reviewed following that time. It was recommended that the transitional funding made available by the Secretary of State should be accepted and that scheme should be recommended to the Full Council for approval. She also noted that the scheme had been modelled on the existing council tax benefit scheme.
- 81.3 The Chair welcomed the report and thanked the officers involved for their work during a very difficult time, given the government's decision to make local authorities responsible for managing their own schemes and requiring them to have a scheme in place for next April. He also wished to thank the members of the Scrutiny Panel for their work and recommendations and hoped that the recommendations contained in the report could be supported by all groups.
- 81.4 Councillor Littman stated that he wished to thank the officers involved and the Head of City Services for her apology, although he had signed the letter. He believed the proposed scheme was an effective one and ensured that no-one would pay more than 8% council tax if they were in receipt of council tax benefit, which he felt was a credit to the officers involved.
- 81.5 Councillor Mitchell welcomed the report and noted that the available funding had been cut before the council had been made to take responsibility for the management of a scheme. She also wished to thank the officers involved and noted that the council was in a good position and ahead of a number of other authorities in terms of having a scheme that could be implemented.
- 81.6 Councillor Ann Norman thanked the officers for an excellent piece of work on behalf of all councillors and in such a tight time-scale. She sought clarification in regard to the options listed on page 127 and hoped that appropriate safeguards were in place to prevent fraud.

- 81.7 The Head of City Services thanked the Members for their comments and stated that officers had recognised the need to have safeguards in place to protect the scheme and consideration was being given to the establishment of a Corporate Fraud Team for the council as a whole.
- 81.8 The Head of Revenues and Benefits stated that with regard to the two options that had been listed, following further review, the gross option had proved to be too high a risk and therefore the net option was recommended for the scheme.
- 81.9 Councillor West welcomed the proposed scheme and the work of the officers to enable the council to be in a position to implement it in good time, something which he feared may not be the case across the country.
- 81.10 The Chair noted the comments and put the recommendations to the vote which were carried.

81.11 **RESOLVED:**

- (1) That the Overview and Scrutiny report at appendix 1 to the report be noted and that the responses detailed at appendix 2 to the report as amended be approved;

**RESOLVED TO RECOMMEND:**

- (1) That the Overview and Scrutiny report at appendix 1, its recommendations and the Committee's responses at appendix 2 as amended be noted;
- (2) That the information about the government's October announcement of transition grant at appendix 3 be noted;
- (3) That the feedback from consultation and the responses at appendix 5 and section 4 of the report be noted;
- (4) That the Equality Impact Assessment at appendix 6 to the report be noted;
- (5) That the proposals in the draft scheme published in July be adopted with the amendments necessary to satisfy the criteria for transition grant set out in the October announcement;
- (6) That that the full text of the final scheme be based on the government's default Regulations with suitable amendments to adapt the scheme as a scheme local to Brighton & Hove;
- (7) That accordingly, to make the Brighton & Hove City Council (Council Tax) Low Income Discount Scheme 2013 (the main scheme) as set out in Part 1 of appendix 4 and the Brighton & Hove City (Council Tax) Discretionary Scheme 2013 (the discretionary scheme) as set out in Part 2 of appendix 4;
- (8) That the Director of Finance be authorised to take all appropriate steps to implement and administer the main scheme and the discretionary scheme, including (1)

publishing the main scheme in accordance with statutory requirements, (2) applying for any funding for which the Council may be eligible, and (3) responding to any other government initiatives or consultation exercises;

- (9) That the Head of Law be authorised to make suitable amendments to the Council's constitution to reflect the council's new functions in relation to council tax reduction schemes, in particular (1) to indicate in Part 3 (Council Functions) that only the Full Council can make, revise or replace its main scheme and (2) to replace in the Schemes of Delegation to Committees and Sub-committees and to officers any references to council tax benefit with references to council tax reduction schemes.

**82. APPROVAL FOR THE CITY COUNCIL TO BE THE ACCOUNTABLE BODY FOR THE £24M PRIZE FROM THE TECHNOLOGY STRATEGY BOARD FUTURE CITIES COMPETITION**

Note: This item had been withdrawn as the bid had been unsuccessful.

**83. THREE YEAR STRATEGIC GRANTS 2013-16: DECISION ON FULL BID APPLICATIONS**

83.1 The Head of Policy & Performance introduced the report which detailed the recommendations of the cross-party working group for the allocation of Three-Year Strategic Grant funding, 2013-16 to community groups, voluntary organisations and not-for-profit social enterprise. He also noted that a further ten organisations had been given help to find support and funding opportunities, having not been included in the grant allocation list.

83.2 The Chair welcomed the report and noted that it had been a very large and detailed piece of work which had been undertaken by officers and Members, and he was pleased that the level of support had been protected for this year and next, which showed the commitment to the third sector.

83.3 Councillor Hamilton stated that he had been very impressed with the full reports to the cross-party working group from the Grants Team and welcomed the fact that the recommendations were agreed across all parties.

83.4 Councillor Littman stated that he valued the report and was pleased that the level of grant funding had been maintained under the current economic climate and circumstances faced by the authority. He hoped that the recommendations would be agreed.

83.5 The Chair then put the recommendations to the vote.

**83.6 RESOLVED:**

- (1) That the recommendations of the cross party Member Advisory Group be noted and the award of Three Year Strategic Grant 2013-16 to 69 applicant organisations, subject to recommendation(2) below be approved, and that a further 10 applicant organisations receive an alternative package of support;

- (2) That it be noted the final decision of the level of grant award for each of the three years will be made at Budget Council for the relevant year; and
- (3) That it be noted that given the budget position of the Council grant recipients would be advised that payment of grant monies would be subject to the city council having available funds.

#### **84. CITY PERFORMANCE PLAN AND ORGANISATIONAL HEALTH REPORT 2012/13 6 MONTH UPDATE**

- 84.1 The Head of Policy & Performance introduced the report, which provided an update on the City Performance Plan and the Organisational Health Report for the 6 months from April to September 2012. He noted that levels of performance had improved across the majority of areas and noted that areas of concern such as youth unemployment, alcohol and homelessness were being monitored; with youth unemployment being the first area to be looked at in particular.
- 84.2 Councillor Mitchell welcomed the report and stated that a lot of good work was being undertaken, especially in regard to placements for looked after children and adults in drug treatment programmes. She also suggested that it would be helpful to have further information on young people who were repeat offenders.
- 84.3 Councillor Shanks stated that the Youth Offending Team had just completed a restructuring exercise and she agreed that it would be helpful to have a report to the Children & Young People Committee and to include information on work with repeat offenders.
- 84.4 Councillor G. Theobald noted the report and stated that there were areas which required improvement, e.g. teenage pregnancy rates, waste recycling, staff sickness levels and the number of complaints.
- 84.5 The Head of Policy & Performance introduced the report, which provided an update on the City Performance Plan and the Organisational Health Report for the 6 months from April to September 2012. He noted that levels of performance had improved across the majority of areas and noted that areas of concern such as youth unemployment, alcohol and homelessness were being monitored; with youth unemployment being the first area to be looked at in particular.
- 84.6 Councillor Mitchell welcomed the report and stated that a lot of good work was being undertaken, especially in regard to placements for looked after children and adults in drug treatment programmes. She also suggested that it would be helpful to have further information on young people who were repeat offenders.
- 84.7 Councillor Shanks stated that the Youth Offending Team had just completed a restructuring exercise and she agreed that it would be helpful to have a report to the Children & Young People Committee and to include information on work with repeat offenders.
- 84.8 Councillor G. Theobald noted the report and asked for clarification in regard to the information provided for NEETs and stated that there were areas which required

improvement, e.g. teenage pregnancy rates, waste recycling, staff sickness levels and the number of complaints.

84.9 The Head of Analysis & Performance stated that the NEETs information was good news as there had been an improvement since the last report. The issue of youth unemployment was being looked at more broadly and information would be forthcoming.

84.10 The Acting Chief Executive stated that on average the trend for staff sickness was going down, but it would be monitored closely.

84.11 Councillor West referred to the recycling rates and stated that progress was being made and it was hoped to roll out communal recycling across the city.

84.12 The Chair noted the comments and put the recommendations to the vote.

84.13 **RESOLVED:**

(1) That the areas of progress made in the City Performance Plan (CPP) progress report, the Performance Indicators Headline report Appendix 1, and in the Organisational Health Report Appendix 2 be noted;

(2) That the committee uses the resources at their disposal to maintain progress and tackle issues of concern highlighted in the CPP and in the Organisational Health Report (OHR);

(3) That the new lines of accountability in the CPP following the departure of Strategic Directors who were accountable for outcomes across the city be noted;

(4) That the incorporation of city-wide risk measures into the CPP headline indicator report Appendix 1 be noted; and

(5) That it be noted that performance improvement work would be undertaken in the three areas highlighted as issues of concern in the CPP annual report (youth employment; alcohol; housing).

**85. DRAFT SUSTAINABILITY ACTION PLAN**

85.1 The Strategic Director; Place introduced the report which outlined how the Draft Sustainability Action Plan could be developed using the One Planet approach to ensure Brighton & Hove would improve energy security and become resilient to shortages and price hikes. He noted that officers had been working with city partners on a draft three-year Sustainability Action Plan and that the proposals to take on board the One Planet approach were fully supported by them.

85.2 The Chair stated that the report set out the city's ambition and recommended it to all Members as it was vital to the future of the city and the planet itself. He noted that independent targets would be set for the city to achieve and stated that it was the council's duty to make progress on this matter. He hoped that it would be fully supported by all parties and wished to thank all the officers involved in bringing the report forward.

- 85.3 The Head of sustainability & Environmental Policy stated that the One Planet approach reflect the council's corporate plan and detailed a three-year sustainability action plan. He noted that the feedback to date from Bioregional as the independent assessor had been positive and with the support of various partners in the city it was hoped to promote new ways of thinking and new approaches that would see benefits for everyone in the city.
- 85.4 Councillor West welcomed the report and thanked everyone involved in the process; he believed it had been a tremendous effort across the city which would lead to the creation of a better future for residents and the city itself. He stated that further work was required but that as this was taken forward it would result in savings across other areas that would then be able to support other areas that were in need of resources.
- 85.5 Councillor G. Theobald stated that it was a long report and suggested that a concise list of actions that would be delivered would have helped. He had some concern in regard to the financial implications and queried what the overall cost of the One Planet Living approach would be, and noted that £90k remained in the budget which was required to support a campaign before Bioregional would give accreditation to the council.
- 85.6 The Chair noted the comments and stated that £30k had been set aside for the campaign to encourage behaviour change and hopefully lead to the accreditation.
- 85.7 Councillor Mitchell stated that she wished to pay tribute to the external partners who had come on board to support the One Planet approach. She noted that there were pressures on existing budgets and queried what the future plans were and whether any external funding was available. She also suggested that consideration needed to be given to informing residents so that they understood why the council was taking this forward.
- 85.8 Councillor A. Norman stated that she supported Councillor Mitchell's comments and that the report was rather long and detailed, and suggested that a more comprehensive version should be available for the public. She also queried where the feasibility study would be based referred to on page 300 of the report, whether staff had been consulted about the proposed changes to parking listed in on page 309 and what was the reasoning for the study of food deserts.
- 85.9 The Chair noted the questions and stated that he would ensure a full written answer was sent to Councillor Norman and then put the recommendations to the vote.
- 85.10 **RESOLVED:**
- (1) That the Sustainability Action Plan at Appendix 1 to the report be approved as a draft for further development between 1 December 2012 and 7 February 2013; and
  - (2) That the Strategic Director; Place be instructed to:-
    - (i) to revise the draft Sustainability Action Plan in response to the development phase referred to in 2.1;

- (ii) to seek approval from Policy & Resources Committee and the city's Public Service Board in early 2013 for the revised draft to be implemented; and
- (iii) on obtaining such approval, to submit it to BioRegional for independent assessment, with a view to the council and the city being endorsed as a 'One Planet City'.

## **86. ADVERTISING & SPONSORSHIP**

- 86.1 The Interim Lead for the Chief Executive's Service introduced the report and stated that approval was being sought for the award of the contract to enable council owned advertising space to be utilised in the city. He noted that it had been a lengthy process but a number of issues had had to be clarified and ten large sites were now identified as being potential sites for advertising. He also noted that the company would be able to explore the possible use of other sites across the city and these would then be taken through the appropriate process, which meant that the council was able to retain greater flexibility.
- 86.2 Councillor Peltzer Dunn stated that he had some difficulty in understanding why only ten sites had been identified and questioned the financial implications and why the actual site locations had been contained in the part two report rather than the open report. He also asked for clarification in regard to the decision to only include Lot 1 in the contract and whether it would be possible to have other Lots.
- 86.3 The Interim Lead for the Chief Executive's Service stated that officers had recommended the inclusion of the ten sites in Lot 1 but the contract did provide for other sites to be brought forward and considered on a case by case basis. It was felt that this provided for the greatest flexibility and enabled the council to retain control over the sites used for advertising purposes.
- 86.4 Councillor Mitchell stated that she supported the proposals as outlined in the report.
- 86.5 Councillor G. Theobald stated that he was aware of a site in Patcham which had not been included in the list of ten and queried why it had not been, bearing in mind that it had been previously sponsored and that sponsorship was available for the next year.
- 86.6 The Chair noted the comments and stated that he was happy for the site locations as detailed in appendix 1 to the part two report to be made publically available and in regard to the Patcham site, he believed that there was a degree of uncertainty over the ownership of the land which had yet to be clarified with the Highways Agency. He then put the recommendations to the vote.
- 86.7 **RESOLVED:**
- (1) That the Interim Lead Chief Executive's Services be granted delegated authority to award the advertising and sponsorship contract for the management of large format advertising sites (Lot 1) in accordance with those parties' proposals set out in the Part 2 report; and



- (2) That the contract should include existing large format advertising sites and a requirement for the Management Company to identify and seek advertising and all other necessary consents for new potential large format advertising sites.

## **87. LIVING WAGE ACCREDITATION**

87.1 The Head of Policy & Performance introduced the report, concerning living wage accreditation, which required an organisation in addition to paying its own employees the Living Wage, to put in place plans to pay relevant contracted staff the Living Wage, as well as having a commitment to meet any annual increases in the Living Wage rate. He noted that the council had made a commitment to pay a living wage to all its employees in September 2011 and that in order to gain accreditation it needed to review its contractual arrangements with its contractors. It was therefore proposed that arrangements should be put in place to meet the required criteria for accreditation but that certain contracts should be exempt e.g. social care.

87.2 The Chair welcomed the report and stated that the key aim had to be to reduce inequality and noted that the Chamber of Commerce had given its support to the proposals, which hopefully would see a living wage being paid across the city.

87.3 Councillor Mitchell stated that the Labour & Co-operative Group supported the recommendations and noted there were some difficulties in regard to the procurement process but hoped that the proposals would enable the council to be accredited.

87.4 The Chair noted the comments and put the recommendations to the vote.

### **87.5 RESOLVED:**

- (1) That officers be instructed to seek agreement from the Living Wage Foundation to the proposed procurement approach and exemptions as set out in the report; and
- (2) That subject to the agreement by the Living Wage Foundation to the matters set out at recommendation (1) above, it be agreed that the council should formally apply to the Living Wage Foundation to become an accredited UK Living Wage employer from 1<sup>st</sup> April 2013.

## **88. LOCAL SUSTAINABLE TRANSPORT FUND - UPGRADE OF THE REAL TIME PASSENGER INFORMATION (RTPI) SYSTEM**

### **88.1 RESOLVED:**

- (1) That the Strategic Director; Place be granted delegated authority to award a contract for five years for the upgrade, expansion and maintenance of the RTPI system to the successful supplier following the OJEU tendering process previously approved at the Environment, Transport and Sustainability Cabinet Member Meeting on 4<sup>th</sup> May 2012; and
- (2) That the Strategic Director; Place be granted delegated authority to approve a maximum of five 12-month extensions to the contract following the initial 5-year period, subject to the supplier meeting agreed performance targets.

**89. PROCUREMENT OF TEMPORARY ACCOMMODATION - FRAMEWORK AGREEMENTS AND APPROVED LIST OF PROVIDERS****89.1 RESOLVED:**

- (1) That the Strategic Director; Place be granted delegated authority in consultation with the Director of Finance to set up:
  - i) a framework agreement for the provision of B&B type accommodation, for a duration of four years.
  - ii) a framework agreement for the provision of managed leased accommodation, for a duration of up to four years and
  - iii) an approved list of providers of blocks of leased accommodation that can be managed by the council, for a duration of up to four years .
- (2) That the Strategic Director; Place be granted delegated authority to call off from those framework agreements and the approved list in order to award contracts as required following the recommendations of the evaluation panel and the results of the tendering process.

**90. INSURANCE TENDER 2013****90.1 RESOLVED:**

- (1) That the procurement of a contract for insurance cover for the council's property portfolio, motor liability and leaseholder risks for a term of 3 years and 7 months for the reasons set out in paragraph 3.3 to the report be agreed;
- (2) That the procurement of a contract for insurance claims handling for a term coterminous with the insurance cover contract with an option to extend for a further 2 years be agreed; and
- (3) That the Director of Finance be given delegated powers, following consultation with the Chair of Policy & Resources Committee, to award the contract or contracts referred to in recommendations (1) and (2) above and to take all other steps necessary for the implementation of the contract or contracts and any extension in accordance with recommendation (2) above.

**91. ROYAL PAVILION AND MUSEUMS CATERING CONTRACT**

- 91.1 The Commissioner for Culture introduced the report which set out the proposed catering arrangements for the Royal Pavilion & Museums (RPM), which related to the Royal Pavilion, Hove Museum and Brighton Museum. She noted that as part of the tendering process, the RPM had worked jointly with Brighton Dome & Festival Ltd who had similar catering and operational needs. It was therefore regarded as being commercially beneficial for the new contract to apply to both organisations.

91.2 Councillor Bowden welcomed the report and thanked the officers involved for their work and stated that he believed it was a good example of joint working across the council and with an outside partner.

91.3 Councillor A. Norman welcomed the report and noted that the successful bidder had a strong portfolio and reputation.

91.4 The Chair put the recommendations to the vote.

91.5 **RESOLVED:**

- (1) That the award of the tender for catering services to the Royal Pavilion & Museums to Peyton & Byrne be approved;
- (2) That it be noted that the contract has been tendered jointly with Brighton Dome & Festival and will be managed under a Partnership Agreement and
- (3) That it be noted that staff currently working at Hove Museum Tearoom and the Royal Pavilion Tearoom will be subject to Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") arrangements, and
- (4) That the Head of Royal Pavilion and Museums be granted delegated authority in consultation with the Director of Finance, the Interim Lead Chief Executive Services, the Acting Head of Human Resources and the Chair of the Economic Development & Culture Committee, to resolve TUPE and pensions arrangements following staff consultation and to authorise the Interim Lead Chief Executive Services to complete all the necessary documentation regarding such matters and the award of this contract.

**92. HIGHWAY GULLY AND SOAKAWAY CLEANSING CONTRACT. RE-TENDERING OF SERVICE**

92.1 The Strategic Director; introduced the report which set out the current position in relation to highway gully and soakaway cleansing in Brighton and Hove and recommended a procurement strategy for the continuation of the service from June 2013 following the conclusion of the existing contract.

92.2 The Monitoring Officer informed the committee of a need for a technical amendment to the recommendations and circulated copies for information.

92.3 The Chair then put the recommendations as amended to the vote.

92.4 **RESOLVED:** That the Strategic Director; Place be authorised:

- (i) to seek tenders in respect of highway gully and soakaway cleansing in Brighton and Hove for a period of five years from June 2013, with an option to extend for up to a further three years; and
- (ii) to accept tender(s) and to approve and award the resultant contract accordingly on terms approved by the Interim Lead Chief Executive Services.

**93. VOICE AND UNIFIED COMMUNICATIONS SERVICES PROCUREMENT****93.1 RESOLVED:**

- (1) That the procurement of Services (Voice and Unified Communications and Collaboration), consisting of Annual Maintenance and Support, Supplies and Services, to replace the existing voice element of the current VMB contract which expires in 2013 be approved; and
- (2) That the Director of Finance be granted delegated authority to award a 3-year Voice and Unified Communications Services contract(s), with an option to extend for up to 2 years (3+1+1).

**94. METRO WIRELESS CONCESSION AGREEMENT**

- 94.1 The Head of ICT introduced the report which outlined the proposed appointment of a network preferred partner to develop a Next Generation Wireless network within Brighton and Hove, under a service concession contract, which required the operator to pay the council a concessionary licence fee and a percentage share of the total revenue. He stated that consultations had been held with both the business community and the voluntary sector who were supportive of the approach.
- 94.2 The Chair welcomed the report and stated that it was an exciting opportunity which he believed would help with access issues across the city.
- 94.3 Councillor Mitchell welcomed the report and stated that the Labour & Co-operative Group fully supported the proposal.
- 94.4 Councillor Bowden welcomed the report and stated that he hoped such a network would be utilised to promote the city and help tenants.
- 94.5 The Chair noted the comments and put the recommendations to the vote.
- 94.6 **RESOLVED:**
  - (1) That the letting of a service concession for the use of council owned assets (primarily street furniture) to deliver a Wireless Network for a 5 year initial period with the option to extend for 2 years plus a further period of up to 12 months (5 plus 2 plus 1) be approved;
  - (2) That the Strategic Director; Place be granted delegated authority to award a service concession contract to deliver a Metro Wireless network and, subject to satisfactory performance of the appointed contractor, to extend the 5-year contract by a maximum of 3 years (2 years, then 12 months); and
  - (3) That the Head of ICT in conjunction with the Strategic Director; Place be authorised to agree any minor amendments to the draft contract deemed necessary and to conclude the contract accordingly.

**95. WIDE AREA NETWORK - SUSSEX PUBLIC SERVICES NETWORK ("THE LINK")****95.1 RESOLVED:**

- (1) The Head of ICT be granted delegated authority to join the council to the LINK network, and transition all existing Council and Schools networked sites to it in advance of the expiry of the Virgin Media Business contract in August 2013 to ensure continuity of service;
- (2) That the delegated authority to award contracts granted to the Director Finance by Cabinet in July 2011, be used and that in addition the Director of Finance be granted delegated authority to sign the subsequent Accession Agreement with East Sussex County Council; and
- (3) That the additional one-off and recurrent resources required to implement the new data network as set out in paragraphs 5.1 to 5.5 of the report be agreed.

**96. LOCAL DISCRETIONARY SOCIAL FUND (LOCAL WELFARE PROVISION)**

- 96.1 The Head of City Services introduced the report which set out the council's proposed scheme to administer the local discretionary social fund, having had the responsibility to do so passed down from the government. She noted that it was an interim scheme for local welfare provision and would be reviewed during the first year so that any changes could be accounted for in the following year. She stated that whilst the DWP had previously been able to collect payments at source, this would not be the case for the council and therefore it would not be able to replenish the budget in this way. She also noted that officers would continue to work with partner organisations and across the council to support those affected and in need of support from the fund.
- 96.2 Councillor Littman thanked the officers involved and for bringing the proposed scheme forward. He believed that it was yet another means of placing more responsibility on local authorities without sufficient resources. However, he felt that it was the best possible scheme in the circumstances and recommended that it be approved.
- 96.3 The Chair noted the report and stated that he believed demand on the fund was likely to increase and therefore add pressure onto local authorities to support those in need. He welcomed the work with the voluntary sector and hoped that the scheme would have a positive impact.
- 96.4 Councillor A. Norman welcomed the report and noted that the council was ahead of most other local authorities in bringing forward a scheme to deliver the fund and felt that the ability to offer help in kind rather than cash payment was the right approach.
- 96.5 Councillor Mitchell welcomed the report and thanked officers for their work in developing the scheme and for involving the voluntary sector. She supported the approach of meeting people's needs in kind as it maintained their dignity and questioned the government's approach in the current economic climate to reduce the funding levels.

96.6 Councillor G. Theobald noted the report and suggested that should the council wish to put additional resources into the scheme it could do so.

96.7 The Chair noted the comments and put the recommendations to the vote.

96.8 **RESOLVED:**

- (1) That the feedback from consultation be noted;
- (2) That it be agreed an interim scheme for Local Welfare Provision would be set up for the first year and the information and evidence gathered from this first year be used to review and update the scheme for year 2;
- (3) That the proposed interim scheme as set out in paragraph 3.17 of the report and appendix 1 be agreed;
- (4) That the Director of Finance, the Head of City Services and other officers exercising relevant functions be authorised to take all appropriate steps to develop, implement and administer the scheme; and
- (5) That the Interim Lead Chief Executive Services be authorised to amend the Scheme of Delegations to Officers as appropriate to refer to the Local Welfare Provision.

97. **RUGBY WORLD CUP 2015**

97.1 The Commissioner for Culture introduced the report which detailed the opportunity for the city to host a number of games during the Rugby World Cup in 2015, following the selection of the Amex Community Stadium as a possible venue. She stated that the report sought approval for contractual arrangements to be put in place should the city be selected as a host city in early January.

97.2 The Chair welcomed the report and stated that the council was delighted to support the bid and hoped that it would be successful.

97.3 Councillor Bowden welcomed the cross-party support for the bid.

97.4 Councillor G. Theobald stated that he was pleased to support the bid and believed that, if successful, it would bring benefits to the local economy and enhance the city's international reputation.

97.5 The Chair noted the comments and put the recommendations to the vote.

97.6 **RESOLVED:**

- (1) That bid for Brighton & Hove to become a host city for the Rugby World Cup 2015 be supported; and

- (2) That it be agreed that the council should enter into a contract with England Rugby 2015 Ltd in accordance with the financial commitments and other terms outlined in the report should it be selected;
- (3) That the Interim Lead Chief Executive Services be authorised to undertake all necessary arrangements to complete the contract in (2) above, in consultation with the Director of Finance and Interim Lead for Culture.

## **98. ITEMS REFERRED FOR COUNCIL**

- 98.1 No items were referred to the next council meeting for information.

## **PART TWO SUMMARY**

## **99. ADVERTISING & SPONSORSHIP - EXEMPT CATEGORY 3**

### **97.1 RESOLVED:**

- (1) That the Interim Lead for the Chief Executive's Service be granted delegated authority to award the advertising and sponsorship contract for the management of large format advertising sites (Lot 1) in accordance with those parties' proposals as set out in the report; and
- (2) That the contract should include existing large format advertising sites and a requirement for the Management Company to identify and seek advertising and all other necessary consents for new potential large format advertising sites.

## **100. ROYAL PAVILION AND MUSEUMS CATERING CONTRACT - EXEMPT CATEGORY 3**

- 100.1 **RESOLVED:** That the financial analysis, options appraisal and Peyton & Byrne's *Response to Invitation to Tender for Catering Services at Brighton's Cultural Quarter* available in the Members' room be noted and that the recommendations as set out in the Part I report be agreed.

## **101. PART TWO MINUTES - EXEMPT CATEGORY 3**

- 101.1 The part two minutes of the last meeting held on the 11<sup>th</sup> October 2012 were approved as a correct record of the proceedings and signed by the Chair.

## **102. PART TWO PROCEEDINGS**

- 102.1 **RESOLVED:** That the items contained in Part Two of the agenda and the decisions thereon remain exempt from disclosure to the press and public, with the exception of the information contained in appendix 1 to Item 99, Advertising & Sponsorship – Exempt Category 3.

The meeting concluded at 7.45pm

Signed

Chair

Dated this

day of

2013