

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

4.00pm 16 JANUARY 2014

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Morgan (Group Spokesperson), Hamilton, Lepper, A Norman, Peltzer Dunn, Randall and Shanks

PART ONE

95. PROCEDURAL BUSINESS

(a) Declarations of Substitutes

95.1 There were no declarations of substitutes.

(b) Declarations of Interest

95.2 There were no declarations of interest.

(c) Exclusion of the Press and Public

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

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

96. MINUTES

96.1 The minutes of the last meeting held on the 5th December 2013 were approved as a correct record of the proceedings and signed by the Chair.

97. CHAIR'S COMMUNICATIONS

97.1 The Chair stated he was pleased to announce that the city would be taking the lead in delivering same sex marriages, and would be offering one couple the chance to get married when the legislation came into force. The move towards equality was wholeheartedly supported.

- 97.2 The Chair reported the involvement with the Key Cities project, which was an initiative to bring together similar sized cities and benefit from working together. Close work had been undertaken with colleagues on the scheme for some time and a formal launch would take place the following week in London.
- 97.3 The Chair extended thanks everyone who was involved in coping with the recent bad weather; real resilience had been shown in the face the circumstances. There remain some areas of city where it was not yet sensible to completely clear and open all areas, but work was being progressed.
- 97.4 The Chair stated that it was perplexing the authority had not featured in the top 100 employers list from Stonewall for LGBT staff, and it was hoped that further insight could be gained from the feedback session the following week.
- 97.5 The Chair noted that he had met with the other Group Leaders and the Chief Executive earlier to report the proposals of the Green Group to increase Council Tax in 2014/15 by 4.75% - triggering a local referendum. The proposal would need to come before the Committee in February, and have formal approval from Full Council at the budget session; the additional income would be used to protect services for vulnerable people in the city.

98. CALL OVER

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

Item 101	Council Tax Base 2014/15
Item 102	Business Rates Retention Forecast For 2014/15
Item 103	Corporate Procurement Strategy 2014-2017
Item 106	Brighton Marina Act 1968: Application for A Waiver Regarding Water Depth
Item 107	251-253 Preston Road Brighton – Disposal
Item 108	Bus Shelters Concession Agreement
Item 109	Review of Polling Districts and Polling Places
Item 112	251-253 Preston Road Brighton - Disposal - Exempt Category 3

- 98.2 The Acting Democratic Services Manager confirmed that the items listed above had been reserved for discussion, and that the following reports on the agenda with the commendations therein had been approved and adopted:

Item 104	Corporate Procurement Strategy 2014-2017
Item 105	Refresh Of The Sustainable Community Strategy 2014-2017
Item 110	Committee Timetable 2014-2015

99. PUBLIC INVOLVEMENT

- 99.1 The Chair noted that there were no matters to be taken under the Public Involvement item.

100. MEMBER INVOLVEMENT

- 100.1 The Chair noted that a Notice of Motion had been referred to the Committee from the Full Council meeting on 12 December 2013 for consideration.
- 100.2 The Committee agreed that a full Officer report would be brought to a future meeting for consideration, and the matter would also be referred to the Licensing Committee for discussion.

101. COUNCIL TAX BASE 2014/15

- 101.1 The Executive Director for Finance & Resources introduced the report, concerning Council Tax Base 2014/15 stating that the authority was required to set the base, and the report outlined the Council's expectation based on: the number to be charged; discounts and the spend on the Council Tax reduction scheme.
- 101.2 Councillor Littman welcomed the report and noted that the higher than anticipated level of base would help to fund the gap in the budget without the need to make further savings.
- 101.3 Councillor A. Norman stated that the report was good news and that the higher level of base was largely due to the reduction in the number of Council Tax benefit claimants, and the increased number of people in work locally was evidence that the local economy was improving. In terms of the student exemption whilst the expansion of the universities was supported there was an impact on the housing supply and availability of family type housing. Councillor A. Norman asked for clarification in relation to the level of single person discount and the impact of the previous year's changes.
- 101.4 The Executive Director of Finance & Resources explained that the level of single persons was based on information from the electoral register, but further work was planned to check eligibility. In relation to the changes to discount at empty properties it was noted that less of the discretionary fund had been used as envisaged. The Chair added that Central Government had been lobbied in relation to issues surrounding the impact of large student populations.
- 101.5 Councillor Hamilton stated that the loss of income due to the level of student population needed to be addressed as student residents still used Council provided services; the Chair reiterated that this point had been made during the Department for Communities and Local Government's (DCLG) consultation.
- 101.6 **RESOLVED:**
- (1) That this report for the calculation of the council's tax base for the year 2014/15 be approved.
 - (2) That it be agreed in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amounts calculated by Brighton & Hove City Council as its council tax base for the year 2014/15 shall be as follows:-
 - a. For Brighton and Hove whole – 81,359.20 (as detailed in appendix 1)

- b. For the Royal Crescent Enclosure Committee – 30.10 (as detailed in appendix 2)
 - c. For the Hanover Crescent Enclosure Committee – 40.70 (as detailed in appendix 3)
 - d. For the Marine Square Enclosure Committee – 65.40 (as detailed in appendix 4)
 - e. For the Parish of Rottingdean – 1,467.50 (as detailed in appendix 5)
- (3) That it be agreed for the purposes of Section 35(1) of the Local Government Finance Act 1992, the expenses of meeting the special levies issued to the council by the Enclosure Committees shall be its special expenses; and
- (4) That it be agreed the Enclosure Committees and Rottingdean Parish are paid approximately £5,000 council tax reduction grant in total to ensure that they are no better or no worse off as a result of the introduction of the council tax reduction scheme for the reasons set out in paragraph 3.7.

102. BUSINESS RATES RETENTION FORECAST FOR 2014/15

- 102.1 The Executive Director of Finance & Resources introduced the report concerning the Business Rates Retention Forecast for 2014/15 and stated that the authority was charged with agreeing the business rate tax base; the report set out the position and requested delegated authority to allow the Executive Director of Finance & Resources to agree the formal return. The approach was the same as taken the previous year, and some of this information had appeared as part of the budget update earlier in the year. There was a changed pattern to appeals this year that reflected that the challenge in undertaking the forecast and the uncertainty of the appeals in the forecast.
- 102.2 Councillor Littman welcomed the report, and stated that whilst not all the details were in the report he was confident to delegate this to the Executive Director of Finance & Resources.
- 102.3 Councillor A. Norman extended her thanks to the work of Officers, and stated that the prospects for the next financial year and beyond looked good. It could be seen that Central Government had listened to concerns about the current appeals process; the reforms would help in planning, and measures from the Chancellor would help to boost the local economy. It was noted that empty properties were now covered by a national scheme; the use of the underspend to fund work was welcomed, and some clarification was sought in relation to the discretion scheme and the underspend funds.
- 102.4 Councillor Hamilton noted that there would be no benefit this year from extra income due to the safer net grant. It was positive to hear that there would be some small business rate reduction, but asked for clarification on the length of time the safety net grants would be used.
- 102.5 The Head of Strategic Finance & Procurement explained that a year ago it had been agreed to set aside funds for future appeals in the 2013/14 budget only. The Council had been told that they would receive 60% of the funds this financial year and the remaining 40% when the final returns were done in September.
- 102.6 The Chair added that the support for small businesses was needed, but it was vital there was assurance in the budget. Following on from this the Head of Strategic Finance & Procurement

added that the Valuation Office had provided data on appeals to the end of September 2013 showing that the total amount of rateable value under appeal had increased; however, this was not so significant to change the forecast for the next year. It was also added that the some administration costs that related to changes from the Autumn Statement would be compensated to local authorities.

102.7 Councillor G. Theobald stated that he had written to Ministers with his concerns in relation to the Valuation Office, and the Government were now undertaking work to look at the agency in more depth. He added that he welcomed the report and changes which would put the authority in a better position.

102.8 **RESOLVED:**

- (1) That the agreement of the final business rates forecast and the NNDR1 2014/15 form be delegated to the Executive Director of Finance & Resources in consultation with the Chair of this Committee for the reasons given in paragraph 1.2.
- (2) That it be noted based on the latest data the amount forecast to be received by the council in 2014/15 from its share of local business rates and Section 31 compensation grants is £54.765m which is the same as the forecast used in the December budget update report.
- (3) That any underspend on the current discretionary business rates scheme identified in paragraph 3.20 is used to fund the one-off review of the compiled rating list as set out in paragraphs 3.21 and 3.22 be agreed;
- (4) That a review is also undertaken of the current discretionary scheme now that there is a significant overlap between our scheme and proposals announced in the Autumn Statement and revised proposals are brought back to a future meeting of this Committee be agreed; and
- (5) That it be noted the business rates computer software system will need to be replaced during 2014/15 as Civica will cease supporting the current system for the reasons given in paragraph 3.25 and provision will need to be made in the 2014/15 budget to fund a new system and the one-off costs of implementation.

103. LIFE EVENTS FEES AND CHARGES FOR 2014/15

103.1 The Executive Director for Finance & Resources introduced the report concerning Life Events Fees and Charges for 2014/15; the remit of the Committee included the approval of fees and charges for Life Events, and the report set out the detail and savings from increased income. The report included extensive benchmarking, and whilst proposing some increases it retained low cost options.

103.2 Councillor Littman welcomed the report as a means to put services on a more commercial footing; the model was used to provide quality services that could pay their own way.

103.3 Councillor G. Theobald stated that he did not welcome the report and opposed the 10% increase in fees; he went on to question this level of increase against the proposal of the

administration to raise Council Tax by 4.75% in the 2014/15 budget – triggering a local referendum.

- 103.4 The Chair explained that the settlement from Central Government had reduced year on year, and the costs of the service would remain within a comparable level and in line with other authorities.
- 103.5 Councillor Peltzer Dunn noted a specific query in relation ‘appointments cancellation fees’ and the ‘no show penalty charge’ which suggested there could be less incentive for service users to cancel their appointment; Officers noted these concerns and agreed this matter could be looked at further.
- 103.6 Councillor A. Norman noted the number of compliments that the bereavement services received locally, and she felt an increase of 5% would have been more reasonable; however, she welcomed the children bereavement fees being frozen following an amendment the previous year.
- 103.7 The Chair then put the recommendation to the vote.
- 103.8 **RESOLVED:** That the fees and charges for Life Events in Appendix 1 (Bereavement Services) and Appendix 2 (Registration) be approved.

104. CORPORATE PROCUREMENT STRATEGY 2014-2017

- 104.1 **RESOLVED:** That the proposed new Corporate Procurement Strategy 2014-2017 as attached as Appendix 1 be agreed.

105. REFRESH OF THE SUSTAINABLE COMMUNITY STRATEGY 2014-2017

- 105.1 **RESOLVED:**
- (1) That the Committee note the new format for the published document (and the refreshed website) and the new Partnership name - Brighton & Hove Connected.
 - (2) That the Committee endorse the refreshed strategy set out in appendix 1 and recommends the Strategy to Council for approval and adoption.

106. BRIGHTON MARINA ACT 1968: APPLICATION FOR A WAIVER REGARDING WATER DEPTH

- 106.1 The Monitoring Officer introduced the report in relation to the Brighton Marina Act 1968: Application for a Waiver Regarding Water Depth and stated that the report was only concerned with water depth as the agreed planning permission at the Marina would not comply with the depth. A licence had been granted by the Marine Management Organisation for Phase 1 of the development, and there had been no objection from the Harbour Authority. It was also noted that the application for the waiver was not permanent, but for the duration of the construction in relation to the planning permission.

- 106.2 Councillor Peltzer Dunn asked for clarification in relation to whether the reduction in water level was actually a diminution of the water in the main marina enclosure, and if this was the case there would be any legal risk of non-compliance with the Brighton Marina Act. The Monitoring Officer noted that this had been raised by the applicant; however, he provided assurance that the basic requirement in the act was to maintain the depth and the application for the waiver was considering the most appropriate manner to address this.
- 106.3 Councillor G. Theobald thanked the Monitoring Officer for responding in relation to this matter, and noted he was satisfied that the response assured him the Council would not be open to legal challenge. The Chair agreed with these comments and noted this approach was correct and proper.
- 106.4 The Chair then put the recommendation to the vote.
- 106.5 **RESOLVED:** That, on behalf of the council, it be agreed to grant consent under section 55(1) of the Brighton Marina Act 1968, in respect of the changes to the depth of the water in parts of the harbour to Brighton Marina associated with the implementation of the planning permissions BH2006/01124/FP and BH2012/04048 and that such consent shall be evidenced by the form of Agreements set out in Appendix 2 to this report.

107. 251-253 PRESTON ROAD BRIGHTON - DISPOSAL

- 107.1 The Executive Director of Finance & Resources introduced the report that related to the disposal of 251-253 Preston Road, Brighton; she stated that the report advised the Committee of the outcome of the marketing exercise; the capital from which would be used as part of Workstyles Phase 2. The recommended purchaser was Southern Housing, and further information on the bids was contained in the Part 2 appendix. Officers had spent time considering the options and were confident with the recommendation.
- 107.2 Councillor Randall noted that would not support the recommendation as he felt one of the other options would be better for the future of the city.
- 107.3 The Chair then put the recommendation to the vote.
- 107.4 **RESOLVED:**
- (1) That approval be given to the disposal of the property on a 150 year lease to Southern Housing for a target capital receipt subject to planning and variation depending on the number of new houses permitted for development on the site.
 - (2) That the detailed terms to be settled by the Executive Director of Finance & Resources and the Head of Law.

108. BUS SHELTERS CONCESSION AGREEMENT

- 108.1 The Executive Director of Environment, Development & Housing introduced the report that related to the Bus Shelters Concession Agreement. The existing contract was due to expire in 2014; the period of the new contract would be for 10 years, and the process would be in two stages.
- 108.2 Councillor Morgan stated that he hoped this process would allow for the provision of bus shelters in areas of the city where they were much needed, and he endorsed comments that some of the shelters in the city centre were inadequate; he also added that he hoped the exercise would not be an opportunity to increase the amount of advertising space.
- 108.3 Councillor G. Theobald asked about the number of retained shelters, and it was clarified that the aims of the contract was to achieve the maximum benefit for the Council to reduce the costs, and it was considered that including some of the older shelters could reduce the cost benefits of the contract.
- 108.4 Councillor Hamilton noted that it was important the location of shelters was kept under review to ensure they were in the right place and serving their purpose.
- 108.5 Members of the Committee noted some specific examples of bus shelter siting, and the Chair suggested that Ward Councillors be able to feed into the process at the appropriate point to raise their concerns.

RESOLVED:

- (1) That the procurement of the bus shelters concession agreement with a term of 10 years from 6th September 2014 to 5th September 2024 and the option to extend by a further three years to 5th September 2027 be approved;
- (2) That delegated authority be granted to the Executive Director Environment, Development and Housing:
 - (a) to carry out the procurement of the concession agreement referred to in 2.1 above including the award and letting of the concession agreement; and
 - (b) to grant an extension to the concession agreement referred to in 2.1 above of three years should he/she consider it appropriate at the relevant time.

109. REVIEW OF POLLING DISTRICTS AND POLLING PLACES

- 109.1 The Chief Executive introduced the report that related to the Review of Polling Districts and Polling Places and stated that the principles of the review were clearly set out in the report and sought to minimise the use of and disruption to schools.
- 109.2 Councillor G. Theobald referenced the possibility of merging some of the stations in the Patcham Ward; in response the Elections and Land Charges Manager explained that the review had not sought to look at reducing the number of stations, but instead to address less suitable stations.

- 109.3 Councillor Peltzer Dunn referenced a polling station at Aldrington Recreation Ground Pavilion in the Wish Ward and noted that it was no longer possible to use a site that had now been let as a nursery, and as such two polling were operated from the site. He stated that this situation had been acceptable for the Police & Crime Commissioner elections in 2012 and would also be acceptable for the European Elections in May 2014 due to the lower turnout. He went on to express concern that in May 2015, when the General Election and Local Elections were on the same day, the site would be inadequate and have problems with large queues, and asked if this could be reviewed for 2015.
- 109.4 The Elections & Land Charges Manager explained that the locations of polling stations was constantly under review and she would look at alternative solutions such as seeking to use the nursery, but added it could be difficult to provide a portacabin at this location due to the suspension of parking bays and some of the practical issues.
- 109.5 Councillor Hamilton stated that if Portslade Town Hall were used as a Polling Station this year during the proposed construction works then adequate signage would need to be provided to ensure voters were properly directed to the side entrance of the building.
- 109.6 Councillor A. Norman stated that she and Councillor K. Norman supported the proposed changes in the Withdean, particularly providing an alternative location to Dorothy Stronger School.
- 109.7 Councillor Shanks stated that she felt schools should not be closed during elections, and the Elections and Land Charges Manager agreed to forward on information in relation to the number of schools used and the number that needed to be closed.
- 109.8 The Chief Executive stated that she felt strongly, in her role as Returning Officer, that the closure of schools should be avoided and work would continue to seek alternative venues.
- 109.9 **RESOLVED:**
- (1) That the proposals for polling districts and places be as outlined in Appendix 1 to this report. In particular:
 - (2) That the polling place for AU, Rottingdean Coastal ward, be changed from Saltdean Primary School to St Nicholas Church Hall, Saltdean Vale.
 - (3) That the polling place for EY, Queens Park ward, be changed from Carlton Hill Primary School to Millwood Community Centre, Nelson Row.
 - (4) That the polling place for FW, Hanover & Elm Grove ward, be changed from Fairlight Primary School to the Children's Centre, St Leonards Road.
 - (5) That the polling place for HZ, Patcham ward, be changed from Hollingbury Methodist Church Hall to Hollingbury Library, County Oak Avenue.
 - (6) That the polling place for IY, Withdean ward, be changed from Dorothy Stringer High School to the Cassidy Centre, St Mary's Church.

- (7) That the polling place for KS, St Peters & North Laine ward, be changed from the Clarendon Centre to the BMECP Centre, Fleet Street.
- (8) That the polling place for NV, Goldsmid ward, be changed from Somerhill Junior School to the Ajex Hall, Brighton & Hove Reform Synagogue, Eaton Road.
- (9) That Cottesmore St Mary's RC School be retained as the polling place for NY (Goldsmid ward) and OZ (Hove Park ward).
- (10) That the Pavilion in Wish Road be used as a double polling place for SW and SX polling districts in Wish ward.
- (11) That the Electoral Services & Local Land Charges Manager, on behalf of the Returning Officer and Electoral Registration Officer, be authorised to take the measures, as required by law, to bring the changes into effect.
- (12) That the Committee delegates to the Returning Officer following consultation with the Group Leaders and respective ward councillors, the designation of alternative polling places in the event of any polling place not being available at any particular election.

110. COMMITTEE TIMETABLE 2014-2015

110.1 **RESOLVED:** That the proposed timetable of meetings for 2014/15 be approved.

111. ITEMS REFERRED FOR COUNCIL

111.1 No items other than those which were due to be considered at the Council meeting on the 12th December were referred to the Council meeting for information.

112. 251-253 PRESTON ROAD BRIGHTON - DISPOSAL - EXEMPT CATEGORY 3

112.1 **RESOLVED:** That the information contained in the appendix to the report listed at Item 107 on the agenda be noted.

113. PART TWO MINUTES - EXEMPT CATEGORIES 3 AND 5

113.1 **RESOLVED:** That the Part 2 minutes of the meeting held on 5 December 2013 were agreed as a correct record and signed by the Chair.

114. PART TWO PROCEEDINGS

114.1 **RESOLVED:** That the information contained in the appendix to the report listed as Item 107 on the agenda and the minutes of the last meeting remain exempt from disclosure to the press and public.

The meeting concluded at 5.13pm

Signed

Chair

Dated this

day of

2014