

12 June 2014

This record relates to Agenda Item 7

RECORD OF POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: TARGETED BUDGET MANAGEMENT
(TBM) PROVISIONAL OUT-TURN
2013/14

AUTHOR: JEFF COATES

THE DECISION

- (1) That the Committee note the total provisional outturn position for the General Fund, which is an underspend of £1.085m. This consists of an underspend of £1.190m on council controlled budgets and an overspend of £0.105m on the council's share of the NHS managed Section 75 services; .
- (2) That the Committee note the provisional outturn for the Housing Revenue Account (HRA), which is an underspend of £0.766m.
- (3) That the Committee note the provisional outturn position for the Dedicated Schools Grant which is an underspend of £1.447m.
- (4) That the Committee approve the carry forward requests totalling £7.176m as detailed in Appendix 2.
- (5) That the Committee note the provisional outturn position on the capital programme.
- (6) That the Committee approve the following changes to the capital programme.
 - i. The variations and reprofiles in Appendix 4 and the new schemes as set out in Appendix 5.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The underlying position at outturn has improved considerably since month 9 with improvements being seen across a range of services. There are three significant contributing factors. The first is an underspend on the Public Health Grant, part of which has been used to offset eligible Adult Social Care expenditure. The underlying trends on the Adult Social Care budget remain concerning and there are demanding savings targets to be achieved in 2014/15 in addition to savings not yet achieved from 2013/14. There is a request to carry forward the remainder to 2014/15 in order to ensure that the ring fenced grant conditions can be met. The underspend was caused partly by lower than anticipated costs on NHS sexual health contracts and also money set aside because of concerns about the responsibility for certain prescribing costs which has now been resolved in the council's favour. A close review of the Public Health budget commitments in 2014/15 and beyond may provide some additional flexibility for the council in its budget planning, particularly ensuring investment in preventative services can be sustained.

The second key change since month 9 has been lower than expected expenditure on homelessness. Additional service pressure funding was provided in 2013/14 because of concerns about the impact of rising temporary housing costs, lower local housing allowance rates and the broader impact of welfare reform. It is too early to tell whether the more modest impact will continue into 2014/15 but this will remain closely scrutinised as a corporate critical budget.

Thirdly the council received notification of an additional £0.400m government grant funding in the last week of the financial year. This is because the government had top-sliced too much grant funding for capitalisation costs. This had been repeatedly raised by the council and the Local Government Association (LGA) but was not recognised until very close to the year end. While this is welcome additional resourcing it could not have been forecast any earlier.

Collective management of the financial position has therefore ensured that the council has remained within budget with an underspend variance of less than 1%, ensuring that resources have been used for the purposes for which they were allocated.

A detailed explanation has been provided for the change in the income from business rates predominantly because a much lower provision for appeals has been needed. The challenge of forecasting the business rates income in year 1 of a major new funding model has been reported to members on many occasions. The positive news is that the clarity of information from the Valuation Office has improved dramatically over the year which will help future forecasting although we still only have limited experience of monitoring this income in this way. More importantly for the council's overall financial position is that the taxbase itself is in a stronger position than previously anticipated and a further update will be provided in July as part of the Budget Update report.

As mentioned earlier, recommendations for the use of these resources are given in the report on the Governance of Value for Money Phase 4 which is also on this Policy & Resources Committee agenda.

CONCLUSION

Not applicable.

Proper Officer:

Date: 13 June 2014

Mark Wall, Head of Democratic Services

Signed:

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CALL-IN FOR SCRUTINY

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12 June 2014

This record relates to Agenda Item 8

RECORD OF POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: GOVERNANCE OF VALUE FOR MONEY
PHASE 4

AUTHOR: NIGEL MANVELL

THE DECISION

- 1) **That the committee note the scope and savings opportunities identified for phase 4 of the council's Value for Money programme.**
- 2) That the committee approve the cross-party member oversight arrangements for the programme as set out in paragraph **Error! Reference source not found..**
- 3) That the committee note the minimum one-off resources of £1.450m anticipated to be required to achieve success and the further work required to quantify additional resources for key enabling projects.
- 4) That together with £0.350m already approved for 2014/15, the committee agree:
 - a) the early drawdown of the 2015/16 Modernisation Fund (£0.700m) to support the programme in 2014/15;
 - b) the set aside of £0.400m of the 2013/14 revenue budget underspend to support the programme in 2014/15, and;
 - c) to set aside the remaining £1.624m resources from 2013/14 to support the programme in 2015/16.
- (5) To agree additional recurrent investment of £0.300m in the council's procurement capacity as set out in paragraph **Error! Reference source not found.** and appendix 1.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The VfM opportunities and enablers identified for the phase 4 VfM programme will provide significant savings to help the council manage future budget gaps. These savings will principally be through efficiencies, better demand management, growing income, or achieving more cost effective outcomes (e.g. Early Help strategies). However, potential savings of between £8m to £14m will not close the projected budget gaps of £20m to £25m per annum over the next 5 years. The programme can therefore only complement other decisions and activity to help close the gap.

A governance structure with cross-party Member representation will provide robust oversight of this significant programme of work. Together with more focused leadership from ELT and clear lines of accountability for delivery, it signals the importance of the programme and supports transparency of decision making.

CONCLUSION

The council's VfM approach has made good progress to date but there is a need to build upon its success and generally increase momentum. Some service areas, in particular Children's Services have met and exceeded their VfM targets. One option, therefore, could be to continue with a service focus to further exploit this approach, however, this would not on its own meet the scale of the financial challenge, particularly as savings are becoming increasingly challenging to achieve in these areas.

The preferred approach is therefore to continue with the services generating the greatest VfM savings but to also exploit opportunities that cut across services including the potential for greater partnership working. It is hoped that the inclusion of the identified 'enablers' will provide the infrastructure to support delivery of the savings.

Proper Officer:

Date: 13 June 2014

Mark Wall, Head of Democratic Services

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12 June 2014

This record relates to Agenda Item 9

RECORD OF POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: CHARGING OPTIONS IN RELATION TO
SUNDAY PARKING

AUTHOR: AUSTEN HUNTER

THE DECISION

That the Committee decides to refer alternative suggestions for parking charges to the annual review at the end of the year for consideration (option 3).

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The risks associated with removing parking charges are increased private vehicle journeys, increased congestion, a negative impact on the economy and the environment in the form of air pollution.

The nature of Brighton & Hove as a major tourist and shopping destination attracting high volumes of visitors at weekends means that the pressure on parking space is often higher at the weekend than it is during the week.

For these reasons it is not recommended to introduce citywide or partial free parking on Sundays.

Instead of free parking, reduced rates or alternative use of space might be considered in areas of low demand. For example, at Norton Road Car Park in Hove; London Road Car Park and Oxford Court Car Park in the London Road area.

It is recommended that alternative suggestions for parking charges are referred to the annual review of charges that is carried out after the summer.

CONCLUSION

Free parking is likely to increase private vehicle usage and as a result be detrimental to accessibility, the local economy and the environment.

Sunday is often busier than other days during the week for many parts of the city.

For these reasons, it is not recommended that new free parking be introduced on Sundays but that alternative suggestions for parking charges are referred to the annual review of charges that is carried out after the summer. This could include options for promotional rates at Norton Road Car Park, London Road Car Park and Oxford Court Car Park where demand is low on a Sunday.

Proper Officer:

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Signed:



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12 June 2014

This record relates to Agenda Item 10

RECORD OF POLICY & RESOURCES COMMITTEE

POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: ADULT SERVICES- FUTURE SERVICE MODELS

AUTHOR: KARIN DIVALL

THE DECISION

That committee agree not to establish a Local Authority Trading Company (LATC) for ASC services.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The savings required from ASC provider services cannot be achieved without a significant reduction in the budget for employees regardless of whether the services remain in-house or are transferred to an LATC.

In both scenarios the service is going to have to undergo a thorough review of the way that services are delivered and facilities are staffed if these savings are to be achieved.

Whilst the Council can currently generate income this is limited as the Council is unable to make a profit from social care services, and the high cost of its services mean that it could not compete with other providers in the City. An LATC in the longer term would be able to compete within the local marketplace attracting additional income streams not available to the in-house operation.

CONCLUSION

Not applicable.

Proper Officer:

Date: 13 June 2014

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Signed:



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12 June 2014

This record relates to Agenda Item 11

RECORD OF POLICY & RESOURCES COMMITTEE

POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: BRIGHTON AND HOVE SEASIDE
COMMUNITY HOMES - REGISTERED
PROVIDER APPLICATION

AUTHOR: BOB BRUCE

THE DECISION

- 1) That the Committee agree to Brighton and Hove Seaside Community Homes Limited becoming a Registered Provider with the Homes and Communities Agency and authorise the Head of Law to vary the existing agreements and complete any new documentation as necessary.
- 2) That the final agreement be subject to BHSCCH undertaking the necessary consultation with tenants and lenders.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The recommendations have been made so as to reduce the financial exposure of the Council in the short/medium term until BHSCCH starts to make surpluses. In the longer term, as BHSCCH does make surpluses then they can be shared and reinvested in housing, rather than offsetting debt incurred covering rental shortfall. This will provide better value for money for the Council.

CONCLUSION

If the committee was minded to reject the proposal that BHSCCH becomes an RP this could increase the call on the guarantee, as the difference between the modelled rent guaranteed to be paid by the council and the rent that can be realised as aligned with the LHA rate of HB grows.

Proper Officer:

Date: 13 June 2014

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Signed:



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12 June 2014

This record relates to Agenda Item 12

RECORD OF POLICY & RESOURCES COMMITTEE

POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: PROGRESS REPORT ON THE
WORKFORCE EQUALITIES ACTION
PLAN

AUTHOR: LIZ BOSWELL

THE DECISION

That the Committee note the progress made against the Year 1 Action Plan, as set out in paragraphs 3.7 - 3.10 and Appendix 1.

That the Committee approve the Year 2 Workforce Equalities Action Plan set out in Appendix 2.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

At its meeting in July 2013, the Committee considered a report detailing the findings from the council commissioned assessment of race equality in employment at the council that had been carried out by the consultants, Global HPO. Whilst the findings identified specific issues in relation to race equality, many were relevant to all equality groups and indeed to more fundamental performance and cultural issues within the council.

Given the extent and nature of the issues raised by Global HPO, it was recognised that if the council wished to effectively address these issues and so effect and embed real cultural change within the organisation, it would be necessary to develop an action plan over a three year period.

Therefore, at the July 2013 Policy & Resources Committee, members agreed a high-level three year action plan. At the same time they also agreed the work programme that would be carried out in the first year.

The purpose of this report is to brief members on the progress that has been made against the Year 1 Action Plan and to seek approval for the work it is proposed to carry out in Year 2.

CONCLUSION

There are no alternative options for the Committee to consider. The council has already given a commitment to implementing the recommendations set out in the Global HPO report via a three year Workforce Equalities Action Plan. This Action Plan has been incorporated within the council's Corporate Plan for 2014-15 and forms a key part of the organisation's modernisation agenda.

Proper Officer:

Date: 13 June 2014

Mark Wall, Head of Democratic Services

Signed:

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12 June 2014

This record relates to Agenda Item 13

RECORD OF POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: DEVELOPMENT OF SHARED LIVES

AUTHOR: DAVID PENA-CHARLON

THE DECISION

That Committee notes the results of the 12 week consultation undertaken regarding the proposed transfer of SPFT Shared Lives to the In-House scheme

That Committee agrees the transfer of SPFT Shared Lives to The In-House scheme.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The transfer of SPFT Shared Lives to the In-House scheme would ensure the continuity of the service for SPFT Shared Lives carers and service users, the strengthening of the In-House Scheme and it will guarantee key support for the overall development of Shared Lives for people with Mental Health needs.

One Third of Mental Health placements are occupied because of lack of alternatives in the community. Promoting the development of Shared Lives in Mental Health will eventually increase accommodation options in the community, relieving pressure on residential placements.

CONCLUSION

Transfer to In-House has been ascertained following legal and procurement advice as the most suitable option due to offering value for money and a better use of resources.

Proper Officer:

Date: 13 June 2014

Mark Wall, Head of Democratic Services

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12 June 2014

This record relates to Agenda Item 14

RECORD OF POLICY & RESOURCES COMMITTEE

POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: CONFIRMATION ARTICLE 4
DIRECTION - OFFICE TO RESIDENTIAL

AUTHOR: HELEN GREGORY

THE DECISION

- 1) Notes consultation responses to the proposed amended boundary;
- 2) Confirms the direction under article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) made on 25 July 2013 to remove the permitted development rights for the conversion of offices (B1a Use Class) to residential use (C3 Use Class) in Central Brighton, New England Quarter and London Road area and two key office sites Edward Street Quarter and City Park and authorises officers to undertake formal notification of the confirmation.
- 3) Notes that the Article 4 Direction, once confirmed, will come into force on 25 July 2014.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Having considered the consultation responses received during the further consultation period, the council is of the opinion that the article 4 direction should be confirmed.

CONCLUSION

The alternative option not to confirm the article 4 direction was rejected. An article 4 direction is considered justified on the basis that the blanket introduction of permitted development rights will have a significantly harmful impact on the highest growth, highest value sectors of the city economy that are key drivers of private sector job creation. This is not considered to be offset by the positive benefits the new rights would bring in terms of delivering new housing. Whilst, currently, the permitted development right is for three years only, there is no certainty that the permitted development right will be revoked after three years.

Proper Officer:

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12 June 2014

This record relates to Agenda Item 15

RECORD OF POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: HOVE PARK DEPOT - LONG LEASE TO
SCHOOL

AUTHOR: RALPH LONG

THE DECISION

That approval be given to the disposal, subject to planning permission, of land at Hove Park Depot as shown on the attached plan, on a 125 year lease at a peppercorn to the Bilingual Free School for the capital receipt identified in the confidential appendix to this report.

That the detailed terms of the lease shall be settled by the Head of Property & Design and the Head of Law, in consultation (as appropriate) with the Executive Director of Children's Services. and that the Head of Law is authorised to complete all of the necessary documentation.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The planning advisors for the Bilingual Free School have undertaken pre-application consultation with the public on the revised scheme for the school. As part of the planning process the statutory consultations will be undertaken by the planning officers. Consultations were undertaken internally with Education, Finance, Legal and Environment.

CONCLUSION

The DfE have been unable to find a suitable site for the Free School in the west part of the city which is why the school entered into the temporary arrangement of operating from the premises of BACA whilst their search continued. There are currently no other sites available in the city that could be used for the Bilingual Free School.

Proper Officer:

Date: 13 June 2014

Mark Wall, Head of Democratic Services

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12 June 2014

This record relates to Agenda Item 16

RECORD OF POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: PROCUREMENT OF A FRAMEWORK AGREEMENT FOR REACTIVE FABRIC MAINTENANCE AND MINOR NEW WORKS

AUTHOR: MARTIN HEDGECOCK

THE DECISION

That Policy & Resources Committee grants delegated authority to the Executive Director, Finance & Resources to approve the procurement and award of a framework agreement for reactive fabric maintenance and minor new works to the council's civic offices, social care historic, operational (excluding schools) and commercial buildings with a term of up to a maximum of four (4) years.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Procurement of a framework agreement in accordance with this report, should enable the council to find contractors who can supply the required works and achieve value for money.

CONCLUSION

The implementation of the Corporate Landlord model transferred the responsibility for the management and financial control of individual departmental property budgets to Property and Design. The procurement, service delivery, quality and auditable Value for Money procurement of reactive repairs and minor new work is an important part of the Corporate Landlord model.

The alternatives available are

- i) Do nothing and continue to use the small works approved list of contractors. This has been the main method of operation in premises) since April 2013 and it has proved difficult to manage and demonstrate Value for Money assurance.
- ii) Officers have investigated "partnering" with the current Housing department reactive and minor works contract with the Mears group but this contract does not have the scope to allow for the council's requirements.

Proper Officer:

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12 June 2014

This record relates to Agenda Item 17

RECORD OF POLICY & RESOURCES COMMITTEE DECISION

SUBJECT: BRIGHTON AND HOVE CITY COUNCIL
PROVISION OF ARBORICULTURAL
SERVICES

AUTHOR: IAN BREWSTER

THE DECISION

- 1) Approves the procurement of a contract for arboricultural services in Brighton & Hove with a term of three (3) years from 1 February 2015 to 31 January 2018 and an option to extend for a further two years to 31 January 2020;
- 2) Grants delegated authority to the Executive Director Environment, Development and Housing –
 - i) to carry out the procurement of the contract referred to in 2.1 above including the award and letting of the framework agreement; and
 - ii) to grant an extension to the contract referred to in 2.1 above of two years should he/she consider it appropriate at the relevant time.

ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

It is imperative that the Council's provision for high quality pruning work by a private contractor continues as part of service expectations for its residents and highway users.

It is recommended that a 3 + 2 year term contract is offered. This term should stimulate broader interest over a wider range of contractors.

Additionally the possibility of a five year term is vital to build confidence and working relationships with the provider to provide a continual reliable service for the city's residents and highway users.

CONCLUSION

The Council's Arboricultural Service could potentially increase its capacity to accommodate the majority of tree which grow to towards the west half of the city the majority of which grow in Hove. However there is no available infrastructure or space to accommodate additional staff, machines, parking spaces and equipment with the necessary supervision and management. The current contract which enables both the Council and private contractors to work on the same tree stock stimulates a healthy and competitive environment. It is also a flexible and productive arrangement, especially when dealing with emergency situations.

The possibility of conducting a joint procurement and contracting exercise with neighbouring local authorities has been discussed. However due to concerns in relation to increased prevalence of tree disease (such as Dutch Elm Disease) in

other areas, officers believe a single contract for Brighton and Hove to be the preferred option to concentrate upon the protection of the city's National Elm Collection.

Proper Officer:

Date: 13 June 2014

Mark Wall, Head of Democratic Services

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