

BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE

4.00pm 9 JULY 2015

AUDITORIUM - THE BRIGHTELM CENTRE

MINUTES

Present: Councillors Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Janio, Meadows, Mitchell, A Norman, Sykes and Wealls

PART ONE

16 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

16.1 Councillor Meadows was present in substitution for Councillor Bewick.

(b) Declarations of Interest

16.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

16.3 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.

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

17 MINUTES

17.1 **RESOLVED –** That the Chair be authorised to sign the minutes of the meeting held on 11 June 2015 and the special meeting held on 18 June 2015 as a correct record.

18 CHAIR'S COMMUNICATIONS

18.1 The Chair gave the following communications:

“Today’s meeting will be web cast live and will be capable of repeated viewing.

There will be a change to the order of the agenda. If called Item 30 Supported Bus Network will be taken first of the reports to allow the Officer to leave the meeting early.

I would like to welcome you all to the second Policy and Resources Committee meeting to take place at Brighthelm, which will be webcast live and be capable of repeated viewing.

Firstly, I would like to congratulate Hilary Woodward and Marten Matthews from our Legal Services team, who took part in the London to Brighton bike ride with their children and raised over £4,000 for the British Heart Foundation. I hope they are now suitably recovered, but still feeling proud of themselves, as well they should.

I would also like to thank all the council officers and partners who helped to mark Armed Forces Day on 27th June. It took a lot of work to organise the entertainment and activities that took place on the day, including the flag raising ceremony, veterans parade and Chattri exhibition among other things. It is an honour for the city to be able to come together in such a way and celebrate everyone who has served in our armed forces.

The annual Public Health Report, 'Look Inequality' has now been launched and explores inequality in the city by looking at education, housing, employment, income, health, crime and the environment and explains how we are addressing the inequalities in these areas. It is an important resource document for the council and the city and will inform future work, particularly as part of the evidence base for the Brighton & Hove Fairness Commission. Well done and thank you to the Public Health team and all those who contributed.

I would like to give a special mention to two events taking place in the city in the coming weeks.

Now in its third year and going from strength to strength is Trans Pride, with the main event happening at Dorset Gardens on 25th July. It will be a wonderful celebratory occasion for the city. As will be Pride, which is reaching its milestone 25th year. The Pride organisers will also be running a campaign around the city to promote respecting each and every participant, worker and service provider who make our Pride celebrations and events so special. Respecting those who help us deliver a safe and amazing festival of events is an important message to put out to the city and its visitors and one that we must also apply in our day-to-day lives. I hope everyone has a wonderful Pride.

Lastly I would like to thank our emergency services and members of the public who came to the aid of those involved in Monday's bus crash. I'm sure everyone here will join me in sending our best wishes to those injured or affected by the incident and wish them a speedy recovery."

19 CALL OVER

19.1 The following items were reserved for discussion:

Item 22 Targetted Budget Management (TBM) 2015/16 Month 2

Item 23 Treasury Management Policy Statement 2014/15 – End of Year Review

- Item 24 Corporate Plan & Medium Term Financial Strategy 2015-2019: Budget Planning and Resource Update 2016/17
- Item 25 Waiver Report
- Item 27 Refuse, Recycling & Street Cleansing Review and Priorities
- Item 28 Managing Anti-Social Behaviour in City Parks and on the Seafront
- Item 29 Support Functions Review
- Item 30 Supported Bus Network
- Item 31 Interrag VA – City Council Funding Bids
- Item 32 New Homes for Neighbourhoods – Final Scheme Approval – Findon Road and Garage Sites Update
- Item 33 Request to Sell Piece of HRA Land at Connell Drive
- Item 34 Disposal of Land at Eastbrook Farm Site
- Item 35 Land at West Blatchington Primary School, Hove: Proposed Lease to the Education Funding Agency for the Purpose of a Permanent Site for the King’s School
- Item 36 Review of Appointments to Council Bodies, Partnerships and Outside Bodies
- Item 37 2014-15 Performance Update Report

Part Two

- Item 39 Approval to Establish Commercial Waste Collections – Exempt Category 3
- Item 40 Disposal of Land at Eastbrook Farm Site – Exempt Category 3

- 19.2 The Democratic Services Manager confirmed that the items listed above had been reserved for discussion, and that the following reports of the agenda, with the recommendations therein, had been approved and adopted.

Item 26 Progress Report of the Workforce Equalities Action Plan

20 PUBLIC INVOLVEMENT

(A) Petitions

- 20.1 The Chair welcomed Steve Parry to the Committee and asked him to come forward and present his petition in relation to ‘Bedroom Tax, DLA and Discretionary Housing Payments’.
- 20.2 Mr Parry thanked the Chair and explained that his petition affected a small number of people in the city and related to a small amount of money; however, for those affected the issue was significant and impacted their quality of life. He noted that the position had been adopted at Full Council with cross-party support. An anomaly had been raised in the High Court and the Council had agreed to look into the matter further; following a High Court ruling Mr Parry had written to the Council, but not received a response. Mr Parry stated his view that it was unlawful for the Council to consider disability living allowance (DLA) when calculating discretionary housing payment (DHP); DLA was ring-fenced and could not be used in the assessment. Mr Parry concluded his view that the current approach of the Council was unlawful, and the decision of the High Court was currently being reviewed.

20.3 The Chair provided the following response:

“We acknowledge the concerns raised in the ePetition, having recognised this to be an issue in August 2014, we stopped considering disability benefits as a potential income to take into account when assessing discretionary housing payments (DHP) applications. So for the last 11 months disability living allowance (DLA) has not been considered as income for any DHP.

The reason that it was initially considered was to support those with the smallest relative incomes. DLA was only considered as part of an overall income and outgoing assessment. DLA was not taken into account where it was already accounted for within an applicant’s budget / disability related costs. This supported families (mainly those with children) who were not in receipt of DLA. It was a difficult choice and was made with the intent of supporting those most likely to be faced with homelessness.

At the time the amount of overall future demand for DHP was unknown but expected to significantly increase and we had to plan expenditure accordingly. As the factors affecting DHP demand change we regularly review our criteria and strategy. This is an ongoing process, with monthly meetings.

At the time, the decisions made were fully in line with the Government directions on the subject. It is only as of March 2015 that the Courts have found the process as set in government guidance to have been incorrect, by which time we had already changed our policies. It is not ‘illegal’ as claimed. It has been deemed to be unlawful in certain regards.

The research we have undertaken show that 71 applications may have been impacted as a result. The assessment of eligibility for DHP is not solely income based – a range of other factors are also involved. So of the 71 a number will not have been entitled in any event and a number more may have only been entitled to small amounts of DHP. We are happy to review cases to ascertain whether any payment would have been due, had central government advice been accurate.

We acknowledge the concerns raised in the ePetition, having recognised this to be an issue in August 2014, we stopped considering disability benefits as a potential income to take into account when assessing DHP applications. So for the last 11 months DLA has not been considered as income for any DHP.”

20.4 **RESOLVED** – That the Committee note the petition.

(B) Deputations

20.5 The Chair noted there was a deputation; Member petition and Member letter in relation to Meadow view and Tenantry Bus Services and agreed to take all these items together for consideration. The Chair called forward Rebecca Barkaway to present her deputation.

20.6 Ms Barkaway introduced herself as Chair of the Coombe Road LAT, and stated she represented residents of Meadowview and Tenantry that were struggling following the withdrawal of the No. 37 service in the area; residents were asking that funding be

made available to retain the service. It was acknowledged that Compass were providing a good service, and, whilst they had been responsive to concerns, the service was only hourly. Residents were frustrated as the withdrawal of the service made living in the area much more difficult due to steepness of the hills, and they had signed a petition that had been presented to Full Council by Councillor Marsh. There was also concern in relation to the cost of buses for more 'socially excluded' residents in the area. Ms Barkaway stated that the area was isolated and very dark at night, and residents would not feel safe – particularly during the winter months. The regular bus service not only provided safe transport, but also acted as a means to monitor activity generally. The petition presented to Full Council had been signed by 181 residents, and there was also pressure from other groups to retain the service for access to the cemetery. The community needed Council resources to retain its transport links and participate and contribute towards the city.

20.7 The Chair called forward Councillor Yates to present to present his letter of behalf of all three Ward Councillors for Moulsecoomb and Bevandean.

20.8 Councillor Yates stated that Coombe Road as long and steep, and without the bus service residents would have to walk from Lewes Road up the hill for a distance of between 1 to 1.5 miles. This situation was unacceptable, and would not encourage visitors or new residents to the area; as well as affecting visitors to the Jewish cemetery. There was concern that without the evening service it would be very difficult for residents to return home after work, and the community could become very isolated after 7 p.m. Whilst the Compass service was helping the situation it was not as easy to use as the previous Brighton & Hove Buses services, which used the citywide real-time bus boards.

20.9 Councillor Meadows noted her support of the deputation and petition; she explained that without the bus service residents would be forced to use cars and taxis and the situation was very distressing for residents.

20.10 The Chair provided the following response:

“Under the threshold budget for 2015-16, agreed by Full Council in March 2015, the budget for supported bus services can no longer fund evening services on 37/37A from December 2015. It is recognised that this would be a significant loss of transport for the community as there is a significant risk that from December no evening services will operate on these routes as Compass have indicated that they are unlikely to be able to take this on commercially. Officers will continue to work closely with the bus operators on this and other routes across the city, including work on the Multi-Operator Ticketing project which is due to become fully operational, with the on board bus equipment, on 2nd August 2015. This has included officers and bus operators negotiating the early acceptance of Smart Tickets on the 37/37A and 37B when they were first taken over by Compass in April.

Officers from the Council's Public Transport team and senior managers from Compass Bus have met recently with the local community to discuss the issues detailed in the deputation and it is our understanding that there has been improvement recently these issues raised. Officers will continue to work with the Bus Company and local residents to address such issues as they arise. With regards to the Real Time Information, whilst

it is the case that full implementation of this, technically complicated programme has been delayed, initial testing of the system is progressing well and it is expected that the scheme will be completed this year.

All council-funded ('supported') bus services are the subject of a report that will be considered by this Committee, which seeks permission to undertake an Area Network Review of Supported services and as part of that to consult with communities on the future provision of supported routes across the city."

20.11 **RESOLVED** – That the Committee note the deputation; Member petition and Member letter.

21 MEMBER INVOLVEMENT

(a) Petitions

21.1 The petition in relation to Bus Services in Coombe Road and Meadowview was considered at Item 20.

(b) Written Questions

21.2 The Chair noted there was one written question listed in the agenda from Councillor Wares in relation to Horsdean Traveller Site, and invited Councillor Wares to come forward and put his question.

21.2 Councillor Wares asked:

"I have been informed by officers that the proposed Horsdean traveller site expansion project (12 new permanent pitches and alterations to the remaining 21 transit pitches) is now forecast to cost in the region of £2.4m, some £700k above the Government grant of £1.7m. Residents will quite understandably be very concerned to learn of this large increase in the Budget which they will have to pay for through their council tax. I need hardly point out that 12 new pitches at £2.4 million equates to £200k per pitch, each consisting essentially of concrete hard-standing and a toilet/shower facility.

Will the Leader of the Council please tell me a) what the reason is for this large overspend and b) when and by whom this additional £700k of public funding was authorised?"

21.3 In response the Chair stated:

"It is true that rising costs have increased the total cost of delivering the proposed permanent traveller site at Horsdean above the original £1.7 million grant from central government that was paid to the council seven years ago, back in 2008. In the last few years there has been a significant rise in construction costs, an issue that is impacting on all major projects.

As well as construction cost inflation, the increase is the result of the need to provide for infrastructure that will deal with surface water and foul water on an environmentally-sensitive site where the protection of groundwater is a paramount consideration.

The cost of dealing with surface water drainage has risen from last year's estimate of £105,000 to £300,000. These costs reflect the design that has been agreed following a series of discussions earlier this year between the council's engineering contractors and the Environment Agency, as well as ongoing dialogue with the Patcham and Hollingbury Conservation Association. The cost of providing an offsite solution to foul water drainage will involve boring under the A27 to connect to Southern Water's sewerage system on the south side of the road. P&R granted an additional £170,000 last December to pay for this element of the project that, following completion of the detailed design, has since increased to £190,000.

It should be borne in mind that these elements of the project will also enable the continued operation of the transit site, which would otherwise have to be closed down.

If we subtract the cost of the offsite drainage and elements of surface water drainage that are necessary for the continued operation of the transit site, the total cost of delivering the permanent travellers site is around £2.13 million and equates to around £177,000 per unit. I would emphasise that the units consist of more than a concrete hard standing and a toilet/shower facility, with kitchen and day facilities also being provided in separate plots in a carefully landscaped area within the National Park. The cost of £177,000 per unit compares very favourably with gypsy and traveller facilities being provided elsewhere in the UK, where schemes are costing around this amount for transit pitches alone, without the benefit of the habitable-by-day units with electricity, plumbing and hot and cold water that we will be providing on our new permanent site at Horsdean.

Regarding authorisation for the increases in cost above the original £1.7 million grant, I can advise that £349,000 was agreed by P&R at last December's meeting. The remaining £300,000 shortfall is being requested to be found from reserves in the TBM report at today's meeting."

- 21.4 By way of a supplementary question Councillor Wares asked if a full report should be bought to the Committee for consideration given the increased cost of the delivering the scheme. In response the Chair explained that the scheme had been through consultation, and any further delay would put the whole project at risk.

(C) Member Letters

- 21.5 The letter in relation to Bus Services in Coombe Road and Meadowview was considered at Item 20.
- 21.6 The Chair noted there were no further matters for consideration from Members.

22 TARGETTED BUDGET MANAGEMENT (TBM) 2015/16 MONTH 2

- 22.1 The Committee considered a report of the Interim Executive Director for Finance & Resources in relation to Targetted Budget Management (TBM) 2015/16 Month 2. The TBM report was a key component of the Council's overall performance monitoring and control framework; the report set out an early indication of forecast risk as at Month 2 on the Council's revenue and capital budgets for the financial year 2015/16.

- 22.2 Councillor Hamilton noted the comments made by the Interim Executive Director by way of introduction, and stated, that despite forecast risk in the report, this was a very early position in the financial year and Officers were looking in detail at mitigation measures. Councillor Hamilton had confidence that this would be brought down by the end of the year.
- 22.3 In response to Councillor Sykes it was confirmed that the funds in the dedicated schools grant were ring-fenced for priorities relating to schools and school support.
- 22.4 In response to a further query from Councillor Sykes that it was clarified that there were pressures on budgets in Children's Services that related to child protection, this was similar to the trend being seen nationally. The Children's Services Assistant Director provided assurance that the department was working hard towards a recovery plan. The recent Osted inspection had provided assurance that the thresholds were correct to ensure the right level of support was in place. The Executive Director of Adult's Services provided assurance that the work on TBM 3 was seeing the increase in the community care budget begin to slow down.
- 22.5 Councillor G. Theobald welcomed the addition information in the report to map TBM progress against planned budget savings. He noted that the number of those claiming Council Tax benefit had reduced to reflect the increased number of people in work, and he attributed this to measures from Central Government.
- 22.6 Councillor G. Theobald raised a number of questions, and Officers explained that the Council would not take on the award of costs following the withdrawal of the authority from University of Sussex planning appeal, but there would be some costs involved as the authority had instructed counsel. In relation to City Clean the bank holiday and service guarantee was an agreement between staff and the unions; there would be an overspend this financial year, due to the way the bank holidays fell across the financial year, but this would fall back in line in the following years. The Director of Public agreed to send information to the Committee in relation to reductions in the late night noise service.
- 22.7 Councillor Wealls welcomed the early intervention work taking place and noted that there was real evidence this was effective. In response to queries about the review of special educational needs and disability the Executive Director for Adult's Services clarified that the adult review related to personal approaches to packages; a number of actions had been put into place and there would be a full report to the October Health & Wellbeing Board. The Children's Services Assistant Director added that where there were issues with home to school transport this was very much linked up with wider conversations about other interventions; the report in the autumn would provide more opportunity to look in detail at the recommendations. In relation to children in care it was added that emerging patterns matched the national trend; Ofsted had not highlighted anything that was cause for concern, and the transformation of the social work service would use resources better and more efficiently.
- 22.8 Councillor A. Norman drew attention to the inclusion of Surredean and Fiveways parking scheme, and noted she and her Ward colleagues were already carrying out parking surveys.

22.9 Councillor G. Theobald proposed an amendment to recommendation 2.6 that the words '*with the exemption of permanent traveller site (as at page 83)*' be added to the end of the sentence.

22.10 The Chair then put the amendment to the vote. This was **lost**.

22.11 The Chair then put the substantive recommendations to the vote.

22.12 **RESOLVED:**

- 1) That the Committee note the forecast risk position for the General Fund, which indicates a budget pressure of £9.430m. This consists of £8.735m on council controlled budgets and £0.695m on the council's share of the NHS managed Section 75 services.
- 2) Note that Financial Recovery Plans are being developed and finalised and will be reviewed by the cross-party Budget Review Group which will provide member oversight.
- 3) That the Committee note the forecast for the Housing Revenue Account (HRA), which is an underspend of £0.045m.
- 4) That the Committee note the forecast risk position for the Dedicated Schools Grant which is an overspend of £0.209m.
- 5) That the Committee note the forecast outturn position on the capital programme.
- 6) That the Committee approve the capital programme variations and reprofiles in Appendix 3 and new capital schemes in Appendix 4 (excluding the Dorothy Stringer all weather pitch).

23 TREASURY MANAGEMENT POLICY STATEMENT 2014/15 - END OF YEAR REVIEW

23.1 The Committee considered a report of the Interim Executive Director for Finance & Resources in relation to Treasury Management Policy Statement (TMPS) 2014/15 – End of Year Review. The 2014/15 Treasury Management Policy Statement practices and schedules were approved by the Committee on 20 March 2014. The TMPS set out the role of Treasury Management whilst the practices and schedules set out the annual targets and methods by which these targets would be met. The TMPS included the Annual Investment Strategy which set out the key parameters for investing Council cash funds and was adopted at Council on 27 March 2014.

23.2 In response to Councillor Sykes the Interim Executive Director confirmed that the authorised limit was the maximum level of borrowing that could be outstanding at any one time; this limit was set by statute as part of the Local Government Act 2003. It was also confirmed that there were no proposed changes or cuts to the Treasury Management Team.

- 23.3 In response to Councillor Mac Cafferty it was explained that the investment strategy of was very risk adverse, and used external advisors to ensure it was making sound investments. Investments were typically short to ensure there was a strong recovery of invested money.
- 23.4 Councillor A. Norman stated she had always been very impressed by the work of the Treasury Team, and she hoped that more could be done to make residents aware of the careful investment of Council funds on their behalf.
- 23.5 Councillor Hamilton highlighted the low risk of investments and stated he had full confidence in the Treasury Team. Councillor G. Theobald also commended the work of the team.
- 23.6 The Chair then put the recommendations to the vote.

23.7 **RESOLVED:**

- 1) That Policy & Resources Committee endorses the key actions taken during the second half of 2014/15 to meet the treasury management policy statement and practices (including the investment strategy) as set out in this report.
- 2) That Policy & Resources Committee note the reported compliance with the Annual Investment Strategy for the period under review.
- 3) That Policy & Resources Committee notes that the approved maximum indicator for investment risk of 0.05% has been adhered to and the authorised limit and operational boundary have not been exceeded.

RESOLVED TO RECOMMEND

- 4) That Policy & Resources Committee recommend to full Council to approve amendments to the Annual Investment Strategy as set out in paragraphs 3.16 to 3.19 of this report.

24 CORPORATE PLAN & MEDIUM TERM FINANCIAL STRATEGY 2015 – 2019: BUDGET PLANNING AND RESOURCE UPDATE 2016/17

- 24.1 The Committee considered a report of the Interim Executive for Finance & Resources in relation to Corporate Plan & Medium Term Financial Strategy 2015- 2019: Budget Planning and Resource Update 2016/17. The report provided a budget planning and resource update for the 2016/17 budget process in the context of the Council's agreed Corporate Plan and Medium Financial Strategy 2015 – 2019. The Medium Term Financial Strategy (MTFS) was developed directly alongside the Corporate Plan, identifying common areas for investment to support priorities and principles that were shared with city partnerships.
- 24.2 Councillor G. Theobald welcomed the report and noted that the Conservative Group had been asking for a fundamental review of all Council services for some years – he also highlighted the decision of the previous administration to move away from the intelligent commissioning model. The surplus in the budget from 2014/15 was evidence

that the authority could have frozen Council Tax in the budget, and the reduction in the number of Council Tax claimants was evidence that the reforms from Central Government were having an impact in the city. He expressed concern in relation to the spend on ICT and asked for greater assurance that this would create more stability in the ICT infrastructure.

- 24.3 Councillor Hamilton noted that the Council Tax reduction rates would have to be set by the end of the year; he added that whilst the scheme was advertised there would still be difficulties as the impact of benefits changes from Central Government would not be known yet.
- 24.4 Councillor Wealls added that the Conservative Group would work constructively to help deliver budget savings and he was in support of the four year planning. In response to a query the Chair confirmed that the review would look at how all services were delivered.
- 24.5 Councillor Janio referenced comments he had made at the previous meeting and stated that he welcomed the report and approach of the administration.
- 24.6 The Chair noted there was an amendment from the Green Group detailed in Addendum Two and invited Councillor Sykes to speak to his amendment.
- 24.7 Councillor Sykes highlighted that whilst he agreed with aspects of the papers he had concerns in a number of areas. It was his view that this approach would allow for privatisation of services in the organisation. He went on to add that there was little difference in the approach between the administration and the Conservative Group and stated his view that this would likely lead to a Council Tax freeze for the next financial year. He stated that the approach of his group would be bolder in terms of discussing the context of delivering cuts with the public. In relation to the amendment specifically he asked that as much information be available as possible to opposition groups in early December to allow early consultation to take place, and allow for discussions around other Council Tax options.
- 24.8 Councillor Mac Cafferty seconded the amendment and stated that the Green Group would prefer to go out to consultation with as much information as possible.
- 27.9 The Chair invited advice from the Monitoring Officer who explained that were the amendment carried then the £50K proposed for consultation would need to be identified from a specific budget. Councillor Sykes explained that this had not been identified, but would have to be considered further if the amendment was carried.
- 27.10 Councillors Meadows referenced the discussion earlier in the meeting in relation to bus services in her Ward and felt the proposed funding in the amendment could be better used to protect such bus services.
- 27.11 Councillor Hamilton noted his disappointment with the Green Group for bringing forward the amendment without discussing it with other groups at the Budget Review Group. He noted that whilst the amendment asked for details to be forthcoming in December this would be before the Central Government Statement which was expected in January. He felt the amendment was a means to achieve a Council Tax

referendum by another route, and stated that it was very unlikely the administration would pursue this option. It was also noted that the report would be referred to the Neighbourhoods, Communities & Equalities Committee to allow further consideration of the consultation process.

27.12 Councillor A. Norman noted there was always annual budget consultation and she felt that this would cover the proposals in the amendment.

27.13 Councillor Sykes noted that when in administration the Green Group had provided as much information as possible to the December meeting of the Committee to give a good picture of the initial proposals for the next financial year. The amendment would allow enough information to be gathered to see if it was appropriate to propose a Council Tax increase that would trigger a referendum.

27.14 The Chair put the amendment from the Green Group to the vote. This was **lost**.

27.15 The Chair then put the recommendation as listed in the report to the vote. Councillors Mac Cafferty and Sykes asked that their abstentions be recorded.

27.16 **RESOLVED** – That the Committee

- 1) Note the resource and expenditure projections for 2016/17 and the Medium Term Financial Strategy (MTFS) projections set out in the body of the report and appendices 1 to 3.
- 2) Note the revised budget gap of £25M to be used for 2016/17 budget setting purposes as detailed at paragraph 3.45.
- 3) Instruct the Executive Leadership Team (ELT) to develop 4-year service & Financial Plans for 2016/17 to 2019/20 in the context of Corporate Plan principles and priorities, for consideration by Policy & Resources Committee, comprising:
 - Detailed budget proposals for 2016/17;
 - Projected medium term proposals for 2017/18 to 2019/20;
 - Proposals to be based on two Council Tax options as follows:
 - i) A 1.99% increase in the Brighton & Hove element of the Council Tax, and
 - ii) No increase in the Brighton & Hove element of the Council Tax.
- 4) Refer the approach to Community Engagement & Consultation as set out in the section 5 of this report to the Neighbourhoods, Communities & Equalities Committee for further consideration.
- 5) Agree the proposed approach to reviewing the Council Tax Reduction Scheme as set out in paragraphs 3.28 and 3.29
- 6) Note the resource projections for the Capital Investment Programme as shown in appendix 3.

25 WAIVER REPORT

- 25.1 The Committee considered a report of the Interim Executive Director for Finance & Resources in relation to Waivers of Contract Standing Order 2014-15. The report set out all waivers authorised under CSO 18.2, 18.3 and 18.4 that related to the 2014/15 financial year.
- 25.2 In response to Councillor Sykes it was clarified that there was standardised process to be followed in relation to waivers; the Head of Law added that the new Procurement Board would be able to look at value for money in contracts.
- 25.3 The chair put the recommendations to the vote:
- 25.4 **RESOLVED** - That the Committee notes the number and value of waivers authorised under Contract Standing Orders 18.2, 18.3 and 18.4 during the financial year 2014/2015.

26 PROGRESS REPORT ON THE WORKFORCE EQUALITIES ACTION PLAN**26.1 RESOLVED:**

- 1) That the Committee note the progress made against the Year 2 Action Plan, as summarised in paragraph 3.6 and set out in more detail in Appendix 1.
- 2) That the Committee approve the Year 3 Workforce Equalities Action Plan set out in Appendix 2.
- 3) That the Committee supports the continuation of the Workforce Equalities Action Plan for a further period of four years in line with the life of the council's current Corporate Plan.

27 REFUSE, RECYCLING & STREET CLEANSING SERVICE REVIEW AND PRIORITIES

- 27.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to Cityclean Service Plan and Priorities. The report set out the main findings of the service review; the priorities in the delivery plan for the service over the coming years.
- 27.2 Councillor Mitchell thanked Officers for the report and stated that the administration had brought the strategy paper forward to address the impact of funding reductions to the service; low customers satisfaction rate; low recycling rates and problems with fly-tipping. The report also set out the earlier steps towards greater income generation streams in the service; a cost neutral garden waste collection and other new initiatives.
- 27.3 Councillor Janio welcomed the report; he highlighted the good management within the service and the need to look at new ways of doing things. He went on to query whether the council should bid to provide services, such as commercial waste collection, that were already provided by the private sector.

- 27.4 Councillor Sykes welcomed the report and noted his support for the content; however, he emphasised that much of this work had started under the previous Green administration and highlighted there should be some recognition of the work that had already taken place.
- 27.5 In response to queries raised by Councillor Wealls the Executive Director and the Head of City Clean & Parks explained that the council intended to work towards intelligent equipment that could monitor capacity and provide greater service efficiency. It was already known from surveying work and spot checking that many businesses were using the large on-street residential bins; with this in mind the Council was already collecting a proportion of the commercial waste in the city. In terms of making the service a workers mutual this model had not been ruled out by the management team, but it was highlighted there was low support for this option from the staff body. Whilst there remained a risk of industrial action from the service; the Council continued to work closely with the trade unions. In relation to advertising on bins it was noted that whilst this could be controversial it had not been ruled out as an option. Work in relation to enforcement through the use of CCTV could be discussed with the Lead Member and potentially be brought to the Environment, Transport & Sustainability Committee for decision.
- 27.6 Councillor A. Norman noted her support for roundabout sponsorship and made particular example of the roundabout in Patcham at the end of the A27.
- 27.7 Councillor G. Theobald noted his support for the report, but stressed that the service needed significant modernisation and improvements to communication between the contact centre and the collection crews. In response to queries from Councillor G. Theobald the Head of Service clarified that close with HR was being undertaken to improve absence levels, and where speeding tickets were issued to fleet drivers; the fine and the licence points were the responsibility of the driver.
- 27.8 The Chair put the recommendations to the vote:
- 27.9 **RESOLVED:**
- 1) That the Committee note the priorities and actions set out in the Service Plan for 2015/16 at Appendix 1.
 - 2) That the Committee agrees the establishment of a commercial waste collection service within the parameters set out in the report and authorises the Executive Director of Finance and Resources and the Executive Director of Environment, Development & Housing to implement the operational arrangements.
 - 3) That the Committee agrees in principle to the procurement of a contract to support Cityclean in the provision of waste and littering enforcement activity. A detailed business plan and procurement strategy will be presented to Environment Transport and Sustainability Committee for approval.
 - 4) That the Committee approves the development of a more detailed 5 year Waste, Street Cleansing and Recycling Service Plan incorporating the key actions in this

report and revising long term targets and objectives set out in the existing Waste Management Strategy. The plan, which will be subject to public consultation, will be available for adoption by March 2016.

28 MANAGING ANTI SOCIAL BEHAVIOUR IN CITY PARKS AND ON THE SEAFRONT

- 28.1 The Committee considered a report of the Director of Public Health in relation to Managing Anti-Social Behaviour in City Parks and on the Seafront. The report outlined a new option for managing anti-social behaviour in city parks and open spaces using a Public Spaces Protection Order (PSPO); the report considering using this new power in addition to existing legislation where injunctions under the Criminal Justice and Public Order Act 1994 were already used.
- 28.2 Councillor Mitchell thanked Officers for the report, and explained that the administration had requested this report be brought forward at the earliest opportunity; as well as requesting a policy review. The new legislation would need to be used carefully and proportionately, and she hoped colleagues from other parties could support the report.
- 28.3 Councillor Mac Cafferty welcomed the comments that the powers would need to be used proportionately; he expressed caution at using the legislation to address issues in large areas of the city and queried how residents and communities would be consulted and involved. In response Officers clarified that the use would be targeted, but it was currently difficult to draw any firm conclusions at this stage. In relation to consultation it was also clarified that there would be close work with the Housing Department and consultation with those affected.
- 28.4 In response to queries from Councillor Janio the Head of Law clarified that the Act required the Council to be reasonable. The use of the new powers needed to be cautious and evidence based to avoid the risk of Judicial Review. Councillor Janio noted there was an argument for the Council to be bold and challenging in using these new powers and accept judicial review and the opportunity to create case law.
- 28.5 Both Councillors Wealls and G. Theobald noted their support for the report and gave example of specific problem sites in the city. They hoped this work would progress and Members could feed into it as it emerged.
- 28.6 Councillor A. Norman commended the report and asked if the work could include those living in vehicles parked on city road as she highlighted hygiene and health and safety issues. Officers clarified that there was work being progressed to review the legal issues around van-dwellers. It was also noted that in relation to many of these issues there were already other measures in place to address this.
- 28.7 The Chair then put the recommendations to the vote.
- 28.8 **RESOLVED:**
- 1) That the committee designates the interim Head of the Community Safety, under the direction of the Director of Public Health to investigate the potential for the use

of a Public Spaces Protection Order, including consultation with relevant partners and communities.

- 2) That following this investigation and consultation, Policy and Resources Committee is asked to consider the findings and agree on the implementation or otherwise of a Public Spaces Protection Order in certain areas of the city.

29 SUPPORT FUNCTIONS REVIEW

- 29.1 The Committee considered a report of the Interim Executive Director for Finance & Resources in relation to Support Functions Review. The report updated the Committee on the progress of the review, including plans to review the management layers and structures within support services. It also provided an update on discussions for the consideration of the Council becoming a founding member of Orbis.
- 29.2 It was clarified for Councillor Sykes that that closer working with other authorities in the Greater Brighton area remained an option; the focus on Orbis had been at the request of the Committee in March.
- 29.3 The Chair confirmed for Councillor Janio that all service across the Council would be considered in terms of how they would be provided in future. The Chair also confirmed for Councillor Janio that all options would be considered, and highlighted continuity in the work across administrations.
- 29.4 The Chair then put the recommendations to the vote:
- 29.5 **RESOLVED** - That the Committee notes the progress on the Support Function Review, including the development of an Internal Trading Model option, the option to join Orbis as a founding partner and the “management spans of control” initiative.

30 SUPPORTED BUS NETWORK

- 30.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to Permission to Commence Review and Tender Process for Supported Bus Network. The purpose of the report was to seek approval, following the Areas Network Review, to go out to competitive tender for the supported bus network contracts which would commence in September 2016, if necessary.
- 30.2 Councillor Mitchell highlighted that there were ongoing discussions and routes were under review, and would help to ensure that all routes were served to fullest degree possible. There were also new initiatives from bus companies themselves such as multi operator ticketing; it was hoped such initiatives would help to alleviate concerns raised by residents. Councillor Mitchell also noted her full recognition of the matters raised by the deputation on the agenda and provided assurance that this information would be fed into the area review.
- 30.3 In response to Councillor Sykes it was clarified that an in-house service was an option in the report; however, it remained high cost, legally complex and was an unlikely option for the authority to take forward.

- 30.4 In response to Councillor Wealls it was clarified that the normal award of contract was for four years with flexibility to extent. In regards to school bus services, the final report would be cross-directorate and consider school services.
- 30.5 It was confirmed for Councillor G. Theobald that where a service served a school under East Sussex County Council administration a proportionate contribution would be made.
- 30.6 The Chair put the recommendations to the vote:
- 30.7 **RESOLVED:**
- 1) That the Committee authorises the Area Network Review to begin followed by the competitive tendering process if required.
 - 2) That a further report be brought to a future Policy & Resources Committee Meeting for consideration which will identify recommendations for the future Supported Local Bus Network, subject to available funding.

31 INTERREG VA – CITY COUNCIL FUNDING BIDS

- 31.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to Interreg Va City Council Funding Bids. The report sought authority to submit three full applications to Interreg Va 2 seas Programme, and proposes a streamlined process for future Interreg bid submissions.
- 31.2 Councillor Sykes commended the work of the International Team, and noted his personal interest in the flood prevention work at Portslade.
- 31.3 Councillor G. Theobald stressed that projects should be picked with careful consideration as the funding streams became squeezed.
- 31.4 The Chair then put the recommendations to the vote.
- 31.5 **RESOLVED:**
- 1) That the Committee grants approval for the Council to be a partner in three Interreg Va final funding bids as outlined in appendices 2, 3 and 4, and authorises the Head of Legal & Democratic Services to enter into all associated documentation in respect of the bids.
 - 2) That the Committee authorises the Director of Finance & Resources, following consultation with the relevant Director and the Chair of the relevant Committee for each bid, to submit future bids to the Interreg programmes and authorises the Head of Legal & Democratic Services to enter into all associated documentation in respect of the bids.

32 NEW HOMES FOR NEIGHBOURHOODS - FINAL SCHEME APPROVAL - FINDON ROAD AND GARAGE SITES UPDATE

- 32.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to New Homes for Neighbourhoods – Final Scheme Approval – Findon Road and garage sites update; the report had also been considered by the Housing & New Homes Committee on 17 June 2015. The report focused on development proposals for the site at Findon Road, Whitehawk (former library site) and updated the Committee on the progress of four sites being delivered by the Council's development agent – the Guinness Partnership.
- 32.2 Councillor Meadows spoke to the report in her capacity as the Chair of the Housing & New Homes Committee and explained that the plot at Findon Road had twice been offered out on the open market with no interest. The costs of the scheme benchmarked well, and the new homes provided would be large and fit for purpose – the scheme would also provide a new substation. The buildings would have solar panels on the grid to provide the Council with income which would be passed onto the tenants to reduce their costs for household bills. Councillor Meadows provided assurance that the Housing & New Homes Committee would monitor the scheme to ensure it came in on time.
- 32.3 The Chair noted that the Findon Road site was located in his Ward, and Councillor Mitchell's, ward and had been empty for a number of years despite the need for new homes in the area. He commended the work of the Neighbourhood and Regeneration Team – in particular their success at involving residents.
- 32.4 Councillor G. Theobald noted there had been concerns raised at the Housing & New Homes Committee in relation to the costs per unit; whilst the Committee were asked to approve the land sale and the budget provision he asked for assurance that the cost per unit was reasonable. In response the Head of City Regeneration explained that there were some anomalies at the site in relation to ground works and changes in levels; there were also higher costs associated with the quality of the design that the scheme sought to achieve. With all this in mind the cost per unit compared favourable, and this was benchmarked by a quality surveyor whom provided assurance around value for money. All of this was reported to the project board which involved local Councillors.
- 32.5 In response to Councillor Wealls it was explained that the developer had already been procured early on, this would be Westridge who were also undertaking the renovation works to Hove Town Hall.
- 32.6 The Chair then put the recommendations to the vote, and Councillors: G. Theobald, Wealls, Janio and A. Norman asked that their vote of abstention be recorded.
- 32.7 **RESOLVED** – That the Committee
- 1) Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £940,000 for planning purposes and the development of new housing.

- 2) Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts.
- 3) That the site at the former Whitehawk Community Complex, Whitehawk Road, Brighton, BN2 5FP (referred to in this report as the former library site at Findon Road, Whitehawk) is appropriated for planning purposes and the development of new housing.
- 4) That the sites at 4-7, 10 and 15-20 Kensington Street, Brighton, BN4 1AJ is appropriated for planning purposes and the development of new housing.

33 REQUEST TO SELL PIECE OF HRA LAND AT CONNELL DRIVE

- 33.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to Request to Sell Piece of HRA Land at Connell Drive. The Housing & New Homes Committee agreed to recommend to the Policy & Resources Committee, on 17 June 2015, that the Council sell the freehold of the land to the applicant Geoffrey Wells; it was also noted that the applicant was a former Councillor; who had stood down on at the last local elections.
- 33.2 It was confirmed for Councillor Sykes that the sale price had included the uplifted value of the land.
- 33.3 The Chair then put the recommendations to the vote:
- 33.4 **RESOLVED:**
- 1) That Policy and Resources Committee agrees to sell the freehold of the subject land at Connell Drive, Woodingdean to the applicant, Geoffrey Wells, for the sum of £26,500.
 - 2) That Policy and Resources Committee approves that the capital receipt is used to support the housing capital programme.

34 DISPOSAL OF LAND AT EASTBROOK FARM SITE

- 34.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to Disposal of Land at Eastbrook Farm Site. The report sought agreement for the freehold disposal of approximately 3.7 acres of land at Eastbrook Farm, Old Shoreham Road, Southwick, West Sussex. The disposal would realise an important capital receipt to support the Council's future corporate Capital Investment Programme within the Medium Term Financial Strategy.
- 34.2 It was confirmed to Councillor Mac Cafferty that work had taken place with the tenants of the allotments at the site; all the allotments had been relocated and the those affected had been paid a small amount of compensation.
- 34.3 Councillor Hamilton noted he welcomed the report.

34.4 The Chair then put the recommendations to the vote:

34.5 **RESOLVED:**

- 1) That Committee authorises the disposal of 3.7 Acres on a freehold basis due to the level of interest from a special purchaser who requires a freehold purchase and noting the highly constrained nature of the site.
- 2) The detailed terms to be agreed by the Executive Director of Finance & Resources, Assistant Director Property & Design and Head of Law.

35 LAND AT WEST BLATCHINGTON PRIMARY SCHOOL, HOVE: PROPOSED LEASE TO THE EDUCATION FUNDING AGENCY FOR THE PURPOSE OF A PERMANENT SITE FOR KING'S SCHOOL

35.1 The Committee considered a report of the Executive Director for Children's Services in relation to Land at West Blatchington Primary School, Hove: proposed lease to the Education Funding Agency for the purpose of a permanent site for King's School. The report sought the permission of the Committee to enter into discussions with the Education Funding Agency, the Board of King's School, its promoter the Russell Education Trust and the governing body of West Blatchington Primary School about a proposal to develop the primary school site as a permanent site for King's School, with a replacement building for West Blatchington School on the same site. Should these discussions be successful the Council would enter into a 125 lease with Education Funding Agency at a peppercorn rent.

35.2 Councillor Bewick addressed the Committee at the permission of the Chair and highlighted that we was speaking in his capacity as the Chair of the Children, Young People and Skills Committee. He explained there was a cross-party group looking at school organisation in the city, and a review due to take place to consider the secondary school catchment areas. The implications of the relocation would be considered alongside the catchment area review.

35.3 Councillor Janio noted his support of the report, and asked that Ward Councillors be kept informed throughout the process.

35.4 Councillor Wealls noted that the move was welcomed by both parents and governors; he noted there were some concerned parent, but issues around transport and distance still had to be worked through.

35.5 The Chair then put the recommendation to the vote.

35.6 **RESOLVED:**

- 1) That the Committee approves the continuation of discussions with the Education Funding Agency (EFA), the Board of King's School and its promoter the Russell Education Trust (RET) and the governing body of West Blatchington Primary School about a proposal to develop the primary school site as a permanent site for King's School, with a replacement building for West Blatchington Primary School on the same site.

- 2) That the Committee confirms in principle that should these discussions be successful and subject to all necessary consents being obtained, the Council would be willing to enter into a 125 year lease for that part of the site occupied by King's School (either wholly or in shared use with West Blatchington Primary School) with the EFA at a peppercorn rent.
- 3) That the Committee agrees that the matter of the 125 year lease will be referred back to Policy and Resources Committee prior to the lease being signed.

36 REVIEW OF APPOINTMENTS TO COUNCIL BODIES, PARTNERSHIPS AND OUTSIDE BODIES

- 36.1 The Committee considered a report of the Head of Legal & Democratic Services in relation to Review of Appointments to Council Bodies, Partnerships and Outside Bodies. The report reviewed the existing bodies where Member appointments were in place and proposes the re-appointment of Members where there was either a requirement or it was considered desirable for other reasons.
- 36.2 Both Councillors Janio and Wealls withdrew their names for nomination to Brighton & Hove Estates Conservation Trust and the East Sussex Pension Board respectively to allow the other named nominee to be appointed.
- 36.3 The Chair noted that whilst the Council was no longer formally appointing to some bodies this would not prevent Members remaining involved.
- 36.4 The Chair then put the recommendations to the vote:
- 36.5 **RESOLVED** - That the Committee nominates and approves the appointment of members to the bodies set out at in the amended Appendix One.

37 2014-15 PERFORMANCE UPDATE REPORT

- 37.1 The Committee considered a report of the Interim Executive Director for Finance & Resources in relation to 2014/15 Performance Update Report. The report updated performance progress for 2014/15 (1 April 2014 to 31 March 2015).
- 37.2 In response to concerns raised about policing levels by Councillor Sykes the Chair noted that these types of issues could be considered by the new Neighbourhoods, Communities & Equalities Committee. The Director of Public Health also noted that there had been changes to the recording of crime.
- 37.3 The Chair then put the recommendations to the vote:
- 37.8 **RESOLVED:**
- (1) To note areas of highlighted performance in section 4.6 and 4.7 and endorse the improvement actions detailed in Appendix 1
 - (2) To note progress update in relation to the Key Areas of Focus in Appendix 2

- (3) To support and provide challenge to lead officers across the council to continually improve performance and tackle issues of concern highlighted in the report.

38 ITEMS REFERRED FOR COUNCIL

- 38.1 There were no items referred to Council.

39 APPROVAL TO ESTABLISH COMMERCIAL WASTE COLLECTIONS - EXEMPT CATEGORY 3

- 39.1 **RESOLVED** – That the recommendations in the Part Two report be agreed, and as much information as possible from the Part Two report be made public.

40 DISPOSAL OF LAND AT EASTBROOK FARM SITE - EXEMPT CATEGORY 3

- 40.1 **RESOLVED** – That the recommendations in the Part Two report be agreed.

41 PART TWO MINUTES - EXEMPT CATEGORIES 1 & 3

- 41.1 The Committee agreed the Part Two minutes of the meeting held 18 June 2015.

42 PART TWO PROCEEDINGS

- 42.1 The Committee discussed disclosure of Item 39, and agreed that a Part One version of the report would be produced for formal publication.

The meeting concluded at 7.29pm

Signed

Chair

Dated this

day of